

## **complaint**

Mr G complains that The Royal Bank of Scotland Plc took money from his savings account to pay off his credit card debt.

## **background**

Mr G fell into arrears with his credit card payments. The bank passed the debt to a debt collector and says a letter was sent to Mr G, but no response was received. The bank wrote to Mr G on 2 April to let him know that it could take money from his savings account to clear the debt. It did so on 27 April.

Mr G complained that he had not received any letters from the debt collector and not all the letters from the bank. He said he had not been given enough time to set up a payment arrangement before the money was taken from his savings account. He also said the money in the savings account belonged to his mother and was to be used to pay for his grandparents' funerals in due course.

The bank rejected his complaint and so he brought it to this service. The adjudicator did not recommend that it be upheld. She noted that Mr G had not paid the minimum balance on his credit card account for some time and the bank had sent numerous letters to him. She considered the bank had made reasonable attempts to contact Mr G and it had the right to set off money from the savings account to clear the debt. Mr G did not agree and explained that in 2013 he had been out of work and had been borrowing money to pay his debt. The bank agreed to freeze charges and interest and after that the only letter he got was to say the debt had been passed to the collector. He didn't believe the bank had sent the letters it had claimed to have done.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

It is unfortunate that Mr G found himself in financial difficulties. It is also regrettable that he did not set up an arrangement to pay off his debts. I appreciate he says he didn't receive all the letters the bank and the collector claims to have sent, but I have no reason to believe the bank has falsified its records. Mr G owed the bank money. It noted that he had money in his savings account and it made a transfer, as it was entitled to do. It took about half of the money in the account which has cleared Mr G's debt.

I appreciate that Mr G says the money wasn't his, but I have seen no evidence to support that claim. I trust that rather than pay off his credit card debt in monthly instalments he can make those payments to his savings account and return it to the previous balance.

**my final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 25 September 2015.

Ivor Graham  
**ombudsman**