

complaint

Ms G complains that R. Raphael & Sons plc, trading as Monument, will not write off her outstanding debt to it.

background

Ms G owes a credit card debt to Monument. It agreed to accept reduced monthly repayments of £9 each month, which was then reduced to £3 each month and she is now paying £1.50 each month. She says that she will be unable to repay her debt because she is suffering a terminal illness and therefore asked Monument to write off her debt. She was not satisfied with its response so complained to this service.

The adjudicator did not recommend that this complaint should be upheld. She concluded that it was not unreasonable for Monument to decline to write off the debt and that it had treated Ms G positively and sympathetically by agreeing to suspend further interest and charges and agreeing affordable repayment plans.

Ms G says that she will not be able to repay her debt to Monument due to her terminal illness, that it has not responded to her letters and that it should write off her debt.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Financial organisations are required to respond to a customer's financial difficulties positively and sympathetically. That does not mean that they are required to refund interest and charges or to write off any part of a debt as what is appropriate in each case depends on the customer's individual circumstances.

Monument accepted reduced monthly repayments of £9 each month from Ms G from March 2005 and it suspended interest and charges. Since then the monthly repayments have been reduced to £3 and she now pays £1.50 each month. It has received medical reports from Ms G but says that those reports are insufficient for it to be able to write off her debt.

I consider that, by accepting reduced monthly repayments and suspending interest and charges, Monument has responded to Ms G's financial difficulties positively and sympathetically. I am not persuaded that it would be fair or reasonable for me to require Monument to write off Ms G's debt to it.

my final decision

For these reasons, my decision is that I do not uphold Ms G's complaint.

Jarrold Hastings
ombudsman