

complaint

Mrs B complains that she is being pursued by Santander Cards UK Limited for debts on two store cards which she says it agreed to write off.

background

Mrs B complained to Santander in 2012, that it had contacted her about debts on two store cards which, she says, it had agreed to write off in 2009. She was not satisfied with its response so complained to this service.

The adjudicator did not recommend that this complaint should be upheld. He was unable to conclude that Mrs B had been advised that both accounts had been settled. He concluded that the balances of the accounts had increased as interest and charges had been added and that she should contact Santander to discuss a reduced repayment arrangement, given her financial difficulties.

Mrs B says that she expected a discounted rate to be negotiated for her overall debt and that she would appreciate any reduction in the amount owed.

my findings

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

Santander's records show that Mrs B contacted it in May 2010 about the two debts and apologised for her delay in paying them. The debts were passed to debt collection agencies but, as they were still outstanding, they were returned to Santander in 2012. Santander then contacted Mrs B about the debts.

I am not persuaded that there is enough evidence to show that Santander did agree to write off the debts in 2009 and I consider that it is more likely than not that Mrs B was aware of the debts in 2010 and that she contacted Santander about them. The debts remain outstanding and have increased as interest and charges have been applied.

Mrs B says that she is experiencing financial difficulties. A bank is required to respond to a customer's financial difficulties positively and sympathetically. That does not mean that it is obliged to write off the debt, or to take any other particular action, as, what is appropriate in each case will depend on the customer's individual circumstances. Santander has said that it would be willing to discuss a reduced payment arrangement with Mrs B. I therefore do not consider that it would be fair or reasonable for me to require it to write off the debts, or any part of them.

my final decision

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

Jarrold Hastings
ombudsman