

complaint

Mr R complains that National Westminster Bank Plc failed to send him details of his mortgage arrears as he had asked. He wants more time to make arrangements to sell his property or arrange other help to settle the arrears

background

Mr R took out a mortgage with NatWest in 1993. He has had difficulty in making his payments over many years.

In August 2015, after NatWest told him that it was going to repossess his home, he asked for a breakdown of his arrears. NatWest failed to send this until he phoned to complain in October 2015. It then sent the breakdown. And in its response to his complaint several days later it sent Mr R a cheque for £50. This was as compensation for the trouble and upset its failure to send the information earlier had caused him. The letter also told Mr R that it would not take any further action on his account for a further 14 days. This was so as to give him time to try to "gather the monies". It said that if the arrears were still outstanding after that, NatWest would continue to follow its standard processes to recover the funds.

Mr R wants more time to try to avoid NatWest repossessing his home.

Our adjudicator did not think that NatWest had done anything wrong. Mr R did not agree so the matter has been passed to me to decide.

my findings

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

I know that this will come as a real disappointment to Mr R, especially as I am aware that he is on tablets for several medical problems and is currently unemployed. But I find that, for the reasons I set out below, I agree with our adjudicator.

I have looked at some of NatWest's records of its contacts with Mr R and correspondence with government agencies. From these I can see that he has had difficulty meeting his mortgage payments from at least as early as 2002. I have also seen that he has had help with paying the mortgage interest through government schemes for a similar time. Further, figures that NatWest has provided to me show that, broadly speaking, his mortgage arrears have just continued to increase over several years.

I have also seen that on many occasions Mr R has told NatWest that he expects to get employment or other help from family, friends or acquaintances to assist with his outstanding payments. But that very little or nothing has happened afterwards to reduce the arrears.

I have also reviewed the policies that NatWest has for dealing with customers in a similar position to Mr R's. I am satisfied that these ensure that customers are treated fairly and otherwise follow the regulations that NatWest is bound by. I find that NatWest has more than followed these policies in trying to help Mr R with his financial difficulties. Amongst other things it has delayed for several years before enforcing the court orders for possession it has obtained. It has also had many contacts with agencies assisting Mr R with his debts and future housing needs and offered assistance with the sale of the property.

Accordingly I do not find that NatWest has done anything wrong in failing to give Mr R more time to try to settle his arrears. Even if I could find a reason to require it to do so, my conclusion is that overall this would not help Mr R. He has had many opportunities to find a buyer or help with his payments in the past and has never been successful. I have seen nothing to make me think that he would now be successful in the near future.

I am satisfied that he cannot afford the mortgage. And I can see no benefit to him in allowing the arrears to continue increasing. This is only reducing the amount, if any, that he would receive following the sale of the property and paying NatWest what he owes.

I find that the £50 paid by NatWest to Mr R for its delay in sending him the arrears breakdown is fair and reasonable in the circumstances of this complaint.

my final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr R to accept or reject my decision before 15 February 2016.

Ros Barnett
ombudsman