

complaint

Mrs G complains that Nationwide Building Society has not responded correctly to a previous decision by the Financial Ombudsman Service. The decision required Nationwide to refund current account charges and interest. She is also unhappy that a payment of £51.54 has not been applied.

our initial conclusions

The adjudicator did not recommend that the complaint should be upheld. He said Nationwide accepted the decision and had correctly refunded the relevant charges in May 2012. The adjudicator was unable to conclude that a payment for £51.54 was made. Mrs G remains unhappy that Nationwide continue to seek repayment and disagrees with the amount of the debt.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mrs G and Nationwide have provided. Having done so, I find that I have come to the same conclusions as the adjudicator did, for much the same reasons.

In the previous decision, the ombudsman was satisfied that Nationwide acted positively and sympathetically with regard to the credit card debt and did not require it to do anything more.

The ombudsman did require Nationwide to refund current account charges and interest applied since October 2010. I am satisfied Nationwide refunded £302.50 in May 2012 reducing the debt to £247.27 (at 9 February 2013). So I don't require it to do anything further.

I appreciate Mrs G says a further payment of £51.54 was made to reduce the current account debt. But she has not provided any further evidence of this. On balance, and without further evidence, I am not persuaded Nationwide should reduce the debt by this further amount.

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs G either to accept or reject my decision before 8 October 2013.

Andrew McQueen

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

I have some sympathy with Mrs G in so far as she receives communication from various businesses seeking separate repayment. Some confusion is understandable. I understand she has now heard from a new debt collection agent. She has two separate debts both with Nationwide, namely:

A credit card debt of £1,057.37 (at 6 February 2013). A repayment plan of £1 per month was agreed, and I urge Mrs G now to make contact to set up this arrangement.

A current account debt of £247.27 (at 9 February 2013). A separate repayment plan of £1 per month was agreed and should now be set up.

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.