

complaint

Mr T – who is represented by his sister - complains about the conduct of Lloyds TSB in administering his accounts.

our initial conclusions

The adjudicator recommended that the complaint be upheld and considered that the distress and inconvenience ('D & I') award of £250 made by Lloyds TSB in October 2011 was fair and reasonable, together with a further payment of £150 (making a total of £400).

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr T and Lloyds TSB have provided. I have taken careful note of the further representations made on his behalf in March 2013.

It now appears that an award of £250 was made in respect of a PPI claim, which was the subject of a separate complaint.

I consider that there have been a number of errors in Lloyds TSB's handling of Mr T's two business accounts and loan account – for example, an incorrect monthly payment of £19.99. While it is open to Lloyds TSB to handle a customer's account in accordance with its commercial criteria, I consider that its relations with Mr T could have been better conducted, taking into account his financial difficulties. I also conclude that it would have been fair and reasonable to adopt a more lenient approach towards the charges on the various accounts.

Taking all these factors into account – while I hope that better relations may be achieved in the future by mutual co-operation between the parties – **my final decision is that the D & I award for this complaint should be £250 (instead of £400).**

Under the rules of the Financial Ombudsman Service, I am required to ask Mr T either to accept or reject my decision before 17 May 2013.

Charles Sweet

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

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.