

complaint

Miss C complains that Blue Finance Management Limited, trading as Debt Plan Direct, hasn't paid her the agreed settlement amount of £621. She is being helped with her complaint by a representative.

background

Debt Plan Direct made a settlement offer to Miss C of £621 in March 2016 in response to her complaint that a debt management plan had been mis-sold to her. The settlement offer included compensation for plan set up fees, monthly management fees and interest. Miss C's representative – on her behalf – accepted the settlement offer at the end of 31 March 2016. But no settlement has been paid to Miss C. So she complained to this service.

The adjudicator recommended that this complaint should be upheld. She concluded that Debt Plan Direct should pay Miss C the money that she was offered in March 2016.

Debt Plan Direct hasn't responded to the adjudicator's recommendation.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Miss C's representative – on her behalf – clearly accepted Debt Plan Direct's settlement offer in March 2016. I have seen no evidence to show that Debt Plan Direct has paid the agreed amount to Miss C. So I find that it would be fair and reasonable for it to now pay her £621. And I consider that it should also pay interest on that amount from the date that the settlement offer was accepted by Miss C's representative.

my final decision

For these reasons, my decision is that I uphold Miss C's complaint. In full and final settlement of it, I order Blue Finance Management Limited, trading as Debt Plan Direct, to:

1. Pay £621 to Miss C.
2. Pay interest on that amount at an annual rate of 8% simple from the date that the settlement offer was accepted by Miss C's representative to the date of settlement.

If Debt Plan Direct deducts tax from the interest element of my award, it should send Miss C a tax deduction certificate when making payment. She can then use that certificate to reclaim the tax if she is entitled to do so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss C to accept or reject my decision before 31 October 2016.

Jarrod Hastings
ombudsman