

## **complaint**

Miss W complains that Knightsbridge Insolvency Services Limited wrongly advised her to enter into a protected trust.

## **background**

Miss W explains that Knightsbridge Insolvency Services Limited advised her to enter into a protected trust. She says that she explained that one of her debts might be statute barred but she was told to include it or she wouldn't have enough debt for the protected trust. She says that a debt arrangement scheme would have been more suitable for her but this wasn't discussed. She says that there were delays in ending the trust and overall she felt she was misled into the arrangement.

Our adjudicator didn't recommend that the complaint was upheld. She thought that the advice given by Knightsbridge was reasonable given the information it had at the time. Knightsbridge didn't know that the debt was time barred and the creditor only recently said it would not be pursuing the debt. Our adjudicator explained that this service could only look at the advice that was given and not the administration of the trust and so she couldn't comment on the delay in ending the trust. Ms W didn't agree and said in summary that Knightsbridge didn't explain all her options and wrongly pushed her into a protected trust when this wasn't suitable.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. I sympathise with Miss W about the problems in ending the trust but I agree with the adjudicator that this is a complaint about the administration of the trust and under our rules this service can't look at this aspect.

I have looked at the paperwork completed at the time of entering into the trust in 2013. Miss W said that she thought one of the debts was time barred and she told Knightsbridge. I can't see that this was reflected in the paperwork and Miss W knew it was included before she agreed to the trust. I can see that Knightsbridge made enquiries with all of Miss W's creditors and it had evidence that this creditor was chasing for payment. It is only in response to Miss W's application to discharge the trust in 2015 that the creditor has said the debt is time barred. Overall, I can't say that Knightsbridge was wrong to include it.

Knightsbridge gave advice on the basis that the debt was properly owed. It says that it told Miss W about all of the options available to her including a debt administration scheme. I have seen a memorandum which confirms that other options were discussed. Miss W says this memorandum was full of errors and was given to her after she agreed to the trust. I would have expected Miss W to raise a complaint about this much sooner if she thought that all her options hadn't been properly explained. Overall, I think that the advice Knightsbridge gave Miss W was reasonable and I can't say that the trust was unsuitable.

**my final decision**

My final decision is that I don't uphold this complaint. Under the rules of the Financial Ombudsman Service, I'm required to ask Miss W to accept or reject my decision before 8 January 2015.

Emma Boothroyd  
**ombudsman**