

complaint

Mr U complains that Lloyds Bank PLC sold his current account debt to a debt collection agency while he was on a repayment plan. He wants to be treated fairly.

background

Mr U had debts on his credit card and current accounts with Lloyds. He thought that these had been amalgamated and a repayment plan for the amalgamated debts agreed. In response to a previous complaint to this service, it was made clear that this was not the case. Mr U was advised to contact Lloyds to agree repayment proposals for his current account debt. He did not do so. The bank's agents tried to contact him without success. The bank then decided to sell the debt.

The adjudicator did not recommend that this complaint be upheld. She did not think that the bank had made an error. It was its commercial decision to sell the debt. She said that this service would not interfere with that.

Mr U responded that he had written to Lloyds asking them to amalgamate the debts and telling them that he was paying all that he could afford under the debt management plan. He said that he had responded to one of the bank's agent's letters. He thought that all of his debts with Lloyds should be sold to the third party so that it would be easier to manage.

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 can see that this has become a frustrating experience for Mr U. He is trying to repay his debts in an affordable way and yet feels that he is being harassed for more. There is no dispute that Mr U is repaying all that he can towards the debts he owes. What is disputed is whether the debts he owed to Lloyds should have been amalgamated.

I have looked at the bank's records and I am satisfied that this was not the case. Mr U did write to the bank telling it that he was repaying all that he could afford. He also said that he regarded his monthly repayment to be covering all his debts with Lloyds. He said that he would not deal with these piecemeal. Unfortunately, Mr U's plan with the bank's agent was only for repayment of his credit card debt. This was explained to him. This service did not direct Lloyds to amalgamate the debts. This service did advise Mr U to contact the bank to discuss repayment of his current account debt. The bank has no record that he did so. I therefore conclude that the bank has not made an error.

As the adjudicator has already advised, this service will not interfere in the bank's commercial decision to sell his debt. Neither can I direct the bank to sell his credit card debt to the debt collection agency. I encourage Mr U to contact the agency to discuss an affordable repayment plan for his current account debt.

my final decision

My decision is that I do not uphold this complaint.

Phillip Berechree
ombudsman