

complaint

Miss W complains that Bank of Scotland plc (trading as Halifax) is refusing to provide the deed of novation and true certified copies (not photocopies) of the deed of assignment for named accounts after it sold her debts to third party debt collection agencies.

background

Halifax says it does not have to provide the documents that Miss W is requesting and it has provided her with details of the companies that the debts were sold to.

Our adjudicator felt that the bank had responded fairly and reasonably to this complaint.

Miss W disagrees, so the complaint has been referred to me.

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 appreciate that Miss W is unhappy with the response from Halifax.

But, I agree with our adjudicator that, looked at overall, it has given a fair and reasonable response to this complaint.

I say this because I am not persuaded that Halifax is required to provide Miss W with the documents she'd like it to send her – so I can't say that it is acting unfairly or unreasonably.

I've also taken into account that it looks as if the bank acted within its terms and conditions when it sold her debt on. And I find Halifax has done everything that I might reasonably have asked it to do as it has already provided Miss W with details of the third party debt collection agencies to which it sold her debts.

So, in these circumstances, I don't feel I can fairly require the bank to take any further action.

I understand that Miss W raised other complaints concerning charges that were applied on her defaulted accounts – but those issues have been dealt with elsewhere.

my final decision

For these reasons, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Miss W to accept or reject my decision before 1 May 2015.

Susan Webb
ombudsman