

complaint

Mr F complains that Santander Cards UK Limited registered a County Court Judgment (CCJ) against him despite his repeated attempts to settle a debt. It then did not update his credit file after he settled the account as ordered by the court. He asks for compensation and significant damages for the stress he has suffered.

background

Mr F made a number of calls to query his account balance but had problems accessing his account details. As he failed to make the contractual payments a CCJ was issued. Mr F paid the account as ordered by the court, but the bank did not update his credit file to reflect this. It also failed to update its account records accurately, which resulted in the account being resold to a third party debt collections agency. And Mr F was contacted again about the debt he had already paid. After we became involved, the bank accepted it had made errors in the management of the account after the debt was settled and offered £150 compensation. It said, however, that as Mr F had failed to repay money owed, it had been entitled to pursue the recovery of the debt through the courts.

Our adjudicator recommended that the complaint should be upheld in part. He said that the bank was entitled to collect the debt and have a CCJ issued. He explained that Mr F had not passed the security checks when he tried to access his account details, so the bank was right not to give out information. Whilst he acknowledged that Santander should have responded to his letter, he said this did not mean that he was not still obliged to make repayments. He agreed that the bank was wrong to not update the credit file or its own records to prevent the debt being resold. For the distress and inconvenience this caused he recommended that Mr F accept the settlement offer from the bank which was now £200.

Mr F disagreed saying it was not enough and he wanted a full response to all aspects of his complaint from Santander.

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 am not persuaded that ordering the bank to respond again to Mr F's complaint will result in a more satisfactory outcome for him. I find that the adjudicator's letter of 23 October 2013 (summarised in the background section above) is comprehensive based on the available evidence.

I do not find that Mr F's numerous calls to the bank negate his obligation to repay the money he owed in a timely way. I consider that the bank has now accepted where it failed by not updating Mr F's credit file and by reselling the debt after the account had been settled. The recommended compensation payment of £200 is fair and reasonable in the circumstances, and in line with awards we have made for similar complaints.

my final decision

My final decision is that I uphold this complaint in part. As full and final settlement of this complaint I order Santander Cards UK Limited to pay to Mr F £200 for the distress and inconvenience caused.

Rebecca Connelley
ombudsman