

The complaint

Mr C complains Lowell Financial Ltd sent letters to an address he doesn't live at, causing a strain with family members who did still live there.

What happened

Mr C told us Lowell sent around 14 letters to an address he no longer lives at. He said family members who did live there opened the letters and thought bailiffs were going to come. Mr C also said he'd already changed his address with Lowell so didn't understand why they'd tried to contact him at this address.

Lowell said they'd tried to contact Mr C at the correct address for him several times but hadn't heard anything. As a result, they carried out a trace and found the other address was one he had links to – so wrote to him at that address. They confirmed they now had his current address as his correspondence address.

Unhappy with Lowell's response, Mr C asked us to look into things.

One of our Investigators did so, but overall thought Lowell had acted fairly.

Mr C didn't accept this. He thought Lowell could have made more efforts to understand if he lived at the other address before writing. And the family members who opened the post did so in error – but if Lowell had acted reasonably then this situation wouldn't have happened.

As Mr C didn't agree with our Investigator, the complaint's been passed to me to decide.

What I've decided – and why

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

I'm sorry to hear of the impact on Mr C's family members – including the impact on his relationship with them. I can imagine that's a very difficult situation. But, I can only uphold this complaint and require Lowell to pay compensation if I think they've done something wrong.

The evidence I have shows between April 2023 and 3 October 2023 Lowell wrote to Mr C's correct address around ten times. There is no evidence Mr C replied to any of these contacts – which did ask him to get in touch.

Lowell said this in their response to him, and he's not suggested he did, so I presume he accepts this.

As a consequence of not receiving a reply over so many attempts, Lowell said they thought Mr C had moved – so traced an address for him to the family member's home.

I don't think Lowell carrying out a trace to track down an individual's current address is in itself inappropriate. They need to speak to the individual to discuss the debt – and in Mr C's case, they found a linked address for him at the family member's home.

In the circumstances, given around ten letters were sent without reply to his correct address, I don't think it's unreasonable for Lowell to then begin writing to the incorrect address – given it'd shown up in the trace efforts as a possible current address for Mr C.

It's incredibly unfortunate Mr C's family members opened the letters when they weren't addressed to them. But I don't think Lowell can be held responsible for them doing this, nor for the distress caused to Mr C as a result of them doing so.

Overall, Lowell were writing to Mr C's correct address over many months and received no reply. In response, they carried out a trace, and then wrote to him at what they thought might be his current address. I don't find their actions unreasonable, so while I understand Mr C will be disappointed, I won't be awarding him any compensation.

My final decision

For the reasons I've explained above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 26 December 2024.

Jon Pearce
Ombudsman