

complaint

Mr R complains that Barclays Bank PLC has been harassing him for repayment of a debt. This came from the personal guarantees he gave to his company.

background

The adjudicator did not recommend that the complaint should be upheld. She said that this service had previously considered a complaint about the validity of the guarantees. This was not upheld. Barclays was entitled to contact Mr R about repayment and had agreed instalments. It had taken into account the financial circumstances of his household and his medical condition. She did not think it had been heavy handed.

Mr R, who is represented in this complaint by his son, did not agree. He said that the pressure to make repayments had made him ill.

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 have looked at the letters sent by Barclays and its notes of telephone calls with Mr R and his son. In 2013 it had agreed a temporary reduction in the monthly payments Mr R was making from £200 to £125 due to household repairs he needed to make. When it reviewed the payments it mentioned the possibility of Mr R agreeing to a voluntary charge over his property. It discovered that he had then transferred the property into his wife's sole name. It raised concerns that he had done this. It received information about his medical condition and his son confirmed Mr R's financial position. Barclays had asked for increased payments but agreed to continue to accept £125 per month until the next annual review.

I can appreciate that the amount that Mr R owes as a result of the guarantees remains substantial. Barclays did not take any further recovery action as Mr R had agreed to make repayments. It took account of what he and his son had told it. I do not see that the letters it sent him were inappropriate. But I can fully understand how concerned he remains about the debt outstanding, especially as he is in poor health.

I know Mr R will be disappointed when I say that I do not consider Barclays has failed to be positive and sympathetic in dealing with his difficulties.

my final decision

In light of the above, my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr R to accept or reject my decision before 10 July 2015.

Michael Crewe
ombudsman