

## The complaint

Ms O complains that Lloyds Bank PLC will not intervene in legal proceedings she is involved in.

## What happened

Ms O has a mortgage with Lloyds. A court order was issued in respect of her divorce proceedings in another country. The court order said that Ms O had beneficial ownership of the mortgage property. She considers that her ownership of the property will cease upon her death and she is being defrauded by her ex-husband's solicitors.

Ms O wants Lloyds to intervene in the legal proceedings. She said the implication of the court order is that she no longer has legal title to the mortgage property and therefore she can't have the Lloyds mortgage.

I issued a provisional decision. I explained that I considered the complaint was in jurisdiction and that there was no reason for me to find that I should dismiss the complaint without considering its merits. My provisional findings, which form part of this decision, were:

*I'm not sure that Ms O's interpretation of the court order is correct. She should seek legal advice in the country where the court order was issued if she is concerned about how it will affect her. But it isn't for me to get involved in that.*

*Lloyds has said that it will not get involved in Ms O's divorce and that it is not able to change any details held by the Land Registry in respect of the property. It said the property was currently in Ms O's name, but if the ownership was changed, it could not prevent this. Lloyds has seen the court order and it considers that there is nothing that affects its security against the property.*

*I would not expect a mortgage lender to get involved in its customer's divorce proceedings and it is for Lloyds to decide if its security is at risk or not. Based on the available evidence, I consider the position it has taken is fair and reasonable.*

Lloyds accepted my provisional decision. Ms O did not. She reiterated her position that following the divorce neither she nor her ex-husband have legal title to the property. She asked for Lloyds or me to give her advice on the divorce order and how that affects the ownership of the mortgaged property.

## 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've thought carefully about what Ms O has said. But I can't see any reason to change the findings I reached in my provisional decision. My role is to decide what is fair and reasonable in the individual circumstances of the complaint that Ms O has brought against Lloyds. It is not my role to give Ms O any advice about the court order or the ownership of the property. I am only considering any acts or omissions by Lloyds in its dealings with Ms O in respect of

this matter.

I was sorry to hear about the difficulties Ms O has experienced in obtaining legal advice abroad. But Lloyds is not required to get involved in Ms O's divorce proceedings – either in the UK or abroad. Its stance is that the property is in Ms O's name and there is nothing in the court order that affects its security. So it is not proposing to take any action. Looking at the evidence we have, I consider that is a reasonable position for Lloyds to take. I don't consider it needs to do anything else.

### **My final decision**

My final decision is that I do not uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms O to accept or reject my decision before 10 November 2023.

Ken Rose  
**Ombudsman**