

## **The complaint**

Mr N complains about contact from HSBC UK Bank Plc in relation to a closed bank account.

## **What happened**

Mr N had a current account that was closed by HSBC with an outstanding balance of £481.81 in September 2021. HSBC recorded a default on Mr N's credit file.

Mr N has made complaints about the circumstances under which his account was closed by HSBC. In April 2022 another ombudsman at this service issued a final decision that said HSBC had fairly taken the decision to close Mr N's account.

Towards the end of 2022 HSBC attempted to contact Mr N to discuss the outstanding balance on the closed account to see if there were any options to agree an affordable payment plan. HSBC wrote to Mr N in November 2022 and he went on to complain about the contact he'd received.

HSBC issued a final response on 20 January 2023 but didn't uphold Mr N's complaint. HSBC apologised for any inconvenience caused but said it had legitimately contacted Mr N to discuss affordable repayment options for the outstanding balance. HSBC added it wanted to review Mr N's circumstances to see whether there were any affordable options available. HSBC paid Mr N £75 as he'd explained branch staff provided contradictory information and had told him not to worry about the calls and letters he received regarding the outstanding balance.

An investigator at this service looked at Mr N's complaint. They weren't persuaded HSBC had made a mistake or treated Mr N unfairly by contacting him about the outstanding balance. Mr N asked to appeal, so his complaint has been passed to me to make a decision.

## **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 aware I've summarised the events surrounding this complaint in less detail than the parties involved. No discourtesy is intended by my approach which reflects the informal nature of this service. I want to assure all parties I've read and considered everything on file. I'm satisfied I don't need to comment on every point raised to fairly reach my decision. And if I don't comment on something, it's not because I haven't considered it. It's because I've focused on what I think are the key issues. My approach is in line with the rules we operate under.

Mr N's submissions and complaint letters talk about various issues that impacted his account with HSBC both before and after it was closed. But I need to explain that Mr N has already referred a complaint about the way HSBC closed his account to us. Another ombudsman has already reached the decision that HSBC dealt with Mr N fairly and that its move to close

his account was reasonable. As another ombudsman has already made a decision on those issues, I'm unable to comment on them again here.

In this case, I'm looking at the contact HSBC has made with Mr N in the last year, after the previous ombudsman's decision was issued.

I'm sorry to disappoint Mr N but I'm unable to agree that HSBC acted unfairly by contacting him about the outstanding balance on his account. I understand the account was closed at default, but the balance remains outstanding. HSBC has a legitimate reason to attempt contact with Mr N to discuss whether there are any suitable repayment options for him.

I've reviewed the letters and contact HSBC attempted. I haven't seen any evidence of threatening language or intimidation from HSBC. HSBC's letters request Mr N makes contact to discuss his circumstances so it can look at whether there are affordable ways to repay the outstanding balance. Whilst I understand Mr N may not be in a position to make payments towards the debt, I'm satisfied it's reasonable for HSBC to contact him and ask for information about his circumstances.

I'm very sorry to disappoint Mr N but I haven't been persuaded that HSBC has acted unfairly or made a mistake. Mr N should be aware that HSBC is likely to continue to contact him about the outstanding balance. As I haven't been persuaded HSBC acted unfairly, I'm not telling it to do anything else.

### **My final decision**

My decision is that I don't uphold Mr N's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 3 January 2024.

Marco Manente  
**Ombudsman**