

The complaint

Mr K complains that National Westminster Bank Plc did not send out the original mortgage offer or the extension to the offer to his conveyancer which meant that his intended remortgage couldn't proceed.

What happened

Mr K applied for a remortgage of his property as a buy to let mortgage with NatWest. NatWest issued a mortgage offer dated 14 October 2022 which was valid until 6 April 2023. On 13 March 2023, NatWest extended the mortgage offer until 6 May 2023 and then again on 4 May until 2 June 2023. Mr K didn't complete the remortgage in that time and the case was closed. Mr K says that his conveyancer never got the mortgage offer or the extended mortgage offer and so couldn't complete the remortgage. Our investigator didn't recommend that this complaint should be upheld as she felt that NatWest had communicated with Mr K's conveyancers sending on the mortgage offer and notice of extensions. Mr K disagreed and asked for a review.

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.

Mr K has made clear in his email of 29 November 2023 to us that the crux of his complaint is that his conveyancer didn't receive the original mortgage offer or the extension approval. Mr K says that this meant the remortgage couldn't be completed. I will not be upholding this complaint for the following reasons:

1. NatWest says it sent out the mortgage offer to the conveyancers and provided us with a copy of the conveyancers copy of the mortgage offer it sent on 14 October 2022 with the lawyers address on it. Mr K says it wasn't received by the conveyancers but has not provided supporting evidence of that. Mr K sent us a copy of two emails from the conveyancer dated 30 May 2023 and 28 July 2023. The conveyancer says that his firm didn't receive a mortgage offer for Mr K for "*this property*" from NatWest. But the heading reference provided to us on both emails refers to a different property which I understand was a property Mr K was intending to buy and mortgage through another lender rather than the property he was trying to remortgage with NatWest. As NatWest wasn't involved in the new purchase its understandable that the conveyancer had no correspondence from NatWest about that but it's clearly not evidence that disputes NatWest's claim that it sent the mortgage offer in respect of the remortgage to Mr K's conveyancers. I also see that on 15 January 2024 Mr K emailed his conveyancer and asked for his comments on NatWest's assertion that NatWest communicated its extension to the conveyancer on 4 May at 12.11pm. Mr K has not provided me with his conveyancer's reply so I've no evidence that supports his belief that the mortgage offer and extension information from NatWest wasn't sent.

2. Even If the mortgage offer hadn't been received by the conveyancer it would be quite straightforward to ask for it from NatWest. Mr K had a copy, and the conveyancer could have asked for a copy from NatWest and proceeded with the remortgage. But there is evidence that Mr K wasn't in a position to complete his remortgage by 2 June as he was asking for a further extension shortly before that date.

3. If Mr K had been in a position to complete by 2 June but his conveyancer was prevented from doing so by the absence of the relevant paperwork from NatWest, I would expect Mr K or his conveyancer to bring that to the attention of NatWest before 2 June to see if a mortgage offer could be reissued immediately. But the first I see mention of it is on 28 July 2023 when Mr K sends on the email I refer to above to NatWest. As I say above the email from the conveyancer refers to another property. But as there was no contact from Mr K or his conveyancer with NatWest before 2 June about missing paperwork for the remortgage, it indicates that the absence of a mortgage offer wasn't the reason that the remortgage didn't complete.

My final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 4 April 2024.

Gerard McManus
Ombudsman