Ref / 311098
21/04/2025 10:30:24

Currys
PO Box
194
Cramlington
NE23 0DA

FCA Number: 680982
FCA Contact: tim.morris14@currys.co.uk

Dear Sirs,

Re: Complaint - HP & White GoodsContract 124578 - Mark Maxwell - 82 King Street Manchester, United Kingdom ML45KL

I write in respect of my finance account I hold with you, detailed above.

1 - Following the FCA's investigations into unfair motor commission arrangements, I wish to register a complaint regarding my car loan account with you, particularly regarding discretionary commission arrangements within my finance agreement, and raise the issue of inadequate disclosure. Additionally, I wish to raise the matter of compliance breaches, overcharging, calculation errors, potential mis-selling and affordability on the account and would look to you to (i) refund and appropriately remediate me including any lost interest, as well as (ii) compensate me for the loss of the use of such funds.

2 - Further I wish to make a complaint in respect of these matters and as such I formally ask for a (iii) full Data Subject Access Request (DSAR) around all the documentation you hold on me, inclusive of copy call recordings (in MP3 format) and all emails, internal and external, including all communications to any third party agents you may have employed, that have dealt with my account.

I detail in the two reports attached numbered (3 & 4) my evidence associated with this matter, in furtherance of my case and complaint.

I await confirmation of a refund and compensation associated with the document (3 Financial Report - if attached) and also the appropriate remediation relating to the breaches outlined in (4 Compliance Report).

In the absence of confirmation of a full refund and the appropriate remediation associated with such compliance breaches, overcharging, calculation errors, and potential mis-selling I intend to exercise my right to refer this case and the associated evidence to the appropriate regulator FOS/FSCS, as well as consider private or group litigation.

Yours sincerely,
Mark Maxwell
82 King Street
Manchester, United Kingdom ML45KL

3 - Financial Analysis on the account operated by - Mark Maxwell for account 124578 .

Within the account transactions for the opening period date, until the current or closing date the following issues around rates, charges and fees apportion require a response from you.

(i). Are the figures within the statement/s reflecting a correct accrued balance?

(ii). Has the correct interest been applied for that period, please explain how this was done?
(iii). Are the fees applied to the account within the statement with the current interest charged, correct please explain how this was calculated?

(iv). Please confirm that the Yearly Totals are accurate from the statement period and how these were calculated, did these totals include fees and charges and if so, how were these calculated?

(v). On checking and comparing the yearly figures, can you confirm these are accurate, what software was used to calculate these final figures?

(vi). From the statement/s reconciled balance/s, can you confirm how the reconciliations were achieved/calculated?

With regards to the above account, you have internal copies of these transactions. Please draw reference to these when replying. Where appropriate additional statements should be supplied relevant to this complaint. I attach a copy of the reconciliation report (*If appropriate*) or will forward my report as additional material evidencing my complaint and claim once I am in receipt of your response to the above.
Compliant remediation should be actioned for such overcharging, miscalculations and computational errors.

4 - Compliance review in respect of the contractual arrangement on the account operated by - Mark Maxwell for account 124578 .

On review of the contractual arrangement to the above account I noted the following compliance issues:

(1) All customers must be included within the FCA-CONC 5D.5.2 (a) & (b) reporting structure and made aware of which dates they were included.

(2) When I fell into arrears and missed payments you did not fully explain the facts and details around the current facility I have under FCA-CONC 4.7.2 (1) (2) & (3).

(3) When I fell into arrears you did not inform me that free and impartial debt advice was available from not-for-profit bodies. Further, you did not allow me the facility of alternative, affordable payment amounts to repay the debt due in full. You are in breach of FCA CONC-7.3.8/CONC 7.3.7A

(4) You are under an obligation to provide me with a full breakdown of all costs and charges within the account and the agreement. In this instance you did not compliantly communicate with me, you have been unfair, unclear and in some instances misleading. You are in breach of FCA- COBS 4.2.1

(5) You failed to assess my suitability in regards to my Affordability (FCA COBS 9A.2.1 PRIN 2.2.1/6)

(6) You did not provide me with a fair refund or act in my best interest. You are in breach of (FCA PRIN 2.1/6)

(7) All complaints referred to the FOS must be cooperated with fully in accordance with. (FCA-DISP 1.4.4)

(8) All claims or complaints must be investigated fully when submitted by the customer (FCA - DIS 1.4.1 PRIN 2.1.1/6) You must have procedures in place for a customer to file a complaint. This is in breach of (FCA/ICOBS 4.1.2/1.c)

(9) All complaints referred to the FOS must be cooperated with fully in accordance with. (FCA-DISP 1.4.4)

I attach copies where appropriate in respect of this complaint.

Remediation should be actioned for such compliance breaches.

Yours sincerely,

Mark Maxwell

82 King Street
Manchester, United Kingdom ML45KL