

**Discussion Paper 10/1**

**Response by the Council of Mortgage Lenders  
to the Financial Ombudsman Service, Financial Services Authority and Office of Fair Trading  
paper on consumer complaints (emerging risks and mass claims)**

**10 June 2010**

The Council of Mortgage Lenders (CML) welcomes the opportunity to respond to the joint FOS, FSA and OFT discussion paper. The CML is the representative trade body for the first charge residential mortgage lending industry, which includes banks, building societies and specialist lenders. Our 109 members currently hold around 94% of the assets of the UK mortgage market.

Given that the proposals are not home finance specific and are at a relatively formative stage of development, the CML will not be responding fully to the discussion paper. The CML has had sight of the British Bankers' Association's response and we wish to support its views.

The CML's members are committed to the fair treatment of customers through adherence to the FSA's TCF principles and the development of supplementary best practice such as the arrears and possessions industry guidance. Where there is a potential for consumer detriment, the CML and its members have played an active role in developing pragmatic solutions in conjunction with the regulator, such as for mortgage payment protection insurance and mortgage administration exit fees.

In respect of mass claims, we remain particularly concerned with the conduct of some claims management companies. We continue to draw the relevant regulators' attention to the detriment that CMCs' poor practice causes both firms and consumers.