



Official Information Act #21.040 – Alternate Finance and Crester Credit Complaint Details

1. We refer to your request received on 13 September 2021 for complaint details and outcomes of the seven complaints about Alternate Finance Limited (**Alternate Finance**) and nine complaints about Crester Credit Company Limited (**Crester Credit**) received by the Commerce Commission (**Commission**).
2. We have treated this as a request for information under the Official Information Act 1982 (**OIA**).

Our response

3. We have decided to grant your request.
4. We note that it is important to read the complaints information in the following context:
 - 4.1 Complaints data on its own cannot paint a complete picture of compliance with the law. The fact that a complaint has been received does not necessarily mean that a trader has done anything wrong or any harm has been caused to any consumer or competitor. Some complaints will not be investigated by the Commission because they are unfounded or outside our jurisdiction, and some complaints that are investigated will not proceed to further action.
 - 4.2 The complaints data only reflects what consumers have chosen to report to the Commission or to other organisations that have in turn provided information to the Commission. Some complaints on the same matter are likely to have reached other complaint bodies instead of the Commission.

- 4.3 Complaint volumes for a trader can be about a single matter or multiple matters. Some matters that attract a high level of publicity can generate a large volume of complaints
5. We have set out the details of the complaints about Alternate Finance at **Attachment A**.
6. We have set out the details of the complaints about Crester Credit at **Attachment B**.
7. Please note the Commission will be publishing this response to your request on its website. Your personal details will be redacted from the published response.
8. Please do not hesitate to contact us at uia@comcom.govt.nz if you have any questions about this request.

Yours sincerely



Alexandra Murray
OIA and Information Coordinator

Key	
C	Complainant
T	Trader
Outcomes	
NFA	No Further Action
IPTT	Information Passed to Trader
CAL	Compliance Advice Letter
Enforcement Criteria Letters	
G	Conduct is unclear/unlikely breach
Q	Appropriate for other agency or private action
V	Issues may not be timely

Attachment A – Complaints about Alternate Finance

Details	Complaint Summary
<p>Number: ENQ0313229</p> <p>Date: 29/03/2016</p> <p>Outcome: Litigation, sentencing decision found here</p>	<p>Complaint relates to both Alternate Finance and Crester Credit</p> <p>C states there were illegal default interest charges on the principal and to their account.</p> <p>C also states that there was general non-compliance with the CCCFA on various issues.</p>
<p>Number: ENQ0515028</p> <p>Date: 23/06/2018</p> <p>Outcome: NFA, G</p>	<p>C states that T's loan application is misleading.</p>
<p>Number: ENQ0271380</p> <p>Date: 27/01/2012</p> <p>Outcome: CAL</p>	<p>C states T's loan insurance is misleading.</p> <p>C states that T verbally agreed to put loan repayments on hold for 6 weeks, but did not.</p> <p>C also states that T charged C for charges that were not disclosed in the original loan agreement.</p>

<p>Number: ENQ0310805</p> <p>Date: 7/01/2016</p> <p>Outcome: NFA, G</p>	<p>C states that T incorrectly undertook a credit check on C's daughter who was already indebted.</p>
<p>Number: ENQ0312993</p> <p>Date: 18/03/2016</p> <p>Outcome: NFA, G</p>	<p>C states that T has incorrectly charged fees to C's loan.</p> <p>C states T refuses to engage in making alternative repayment arrangements.</p>
<p>Number: ENQ0313011</p> <p>Date: 21/03/2016</p> <p>Outcome: Litigation, sentencing decision found here</p>	<p>C states that T has been 'double dipping' in C's loan repayments.</p> <p>C also states that T charged C for charges that were not disclosed in the original loan agreement.</p>
<p>Number: ENQ0541438</p> <p>Date: 19/06/2020</p> <p>Outcome: NFA, Q, V</p>	<p>Complaint relates to both Alternate Finance and Crester Credit</p> <p>C states that T has not honoured its repayment insurance agreement and falsified accounts and repayment figures.</p> <p>C also states that T repossessed chattels in which it did not hold a security interest, and threatened to do this several times for other chattels.</p>

Attachment B – Complaints about Crester Credit

Details	Complaint summary
<p>Number: ENQ0305779</p> <p>Date: 22/07/2015</p> <p>Outcome: CAL</p>	<p>C states that T's loan rates comparison page is misleading/incorrect.</p>
<p>Number: ENQ0313229</p> <p>Date: 29/03/2016</p> <p>Outcome: Litigation, sentencing decision found here</p>	<p>Complaint relates to both Alternate Finance and Crester Credit.</p> <p>C states there were illegal default interest charges on the principal and their account.</p> <p>C also states that there was general non-compliance with the CCCFA on various issues.</p>
<p>Number: ENQ0508135</p> <p>Date: 5/12/2017</p> <p>Outcome: IPTT</p>	<p>C is concerned with the products T has registered as security on the contract.</p> <p>C also believes that the fees charged may be unreasonable.</p>

<p>Number: ENQ0541438</p> <p>Date: 19/06/2020</p> <p>Outcome: NFA, Q, V</p>	<p>Complaint relates to both Alternate Finance and Crester Credit</p> <p>C states that T has not honoured its repayment insurance agreement and falsified accounts and repayment figures.</p> <p>C also states that T repossessed chattels in which it did not hold a security interest, and threatened to do this several times for other chattels.</p>
<p>Number: ENQ0531088</p> <p>Date: 19/09/2019</p> <p>Outcome: NFA</p>	<p>C is concerned with how T uses personal information.</p>
<p>Number: ENQ0524660</p> <p>Date: 2/04/2019</p> <p>Outcome: NFA, V</p>	<p>C states that they have been misled and overcharged by T.</p>
<p>Number: ENQ0528358</p> <p>Date: 16/07/2019</p> <p>Outcome: NFA, G</p>	<p>C states that they have had issues with T's contract and attempted repossession of their vehicle when in arrears.</p>
<p>Number: ENQ0531864</p> <p>Date: 15/10/2019</p> <p>Outcome: NFA</p>	<p>C states that T bullied them.</p> <p>C states T sent them a repossession notice following being in arrears for 3 weeks.</p>
<p>Number: ENQ0516146</p> <p>Date: 24/07/2018</p> <p>Outcome: NFA, G</p>	<p>C states T refuses to engage in making alternative repayment arrangements.</p>