



Annual report
2013



Hellenic Ombudsman
for Banking-Investment Services

We can help...

If you have a complaint about banking or investment services, because:

- we have the necessary knowledge and expertise
- we mediate effectively to resolve problems
- our service is free of charge

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The year in summary



Overall we received

9.605

telephone calls and visits to our office

1.508

written complaints

11.113

complaints



We examined

1.894

written cases

121

cross-border disputes in the context of FIN-NET

53

days is the average time of written complaints examination (reduced 25,36% in comparison to 2012)

67,33%

of the disputes were resolved amicably by the parties

20.668

visits to our new H.O.B.I.S. website, www.hobis.gr



Foreword of the Ombudsman for Banking-Investment Services

In 2013, the Hellenic Ombudsman for Banking-Investment Services (H.O.B.I.S.) marked its fifteenth year of operation. During this time he has received a total of 20.582 written complaints and over 128.009 phone calls and visits to its office.

H.O.B.I.S. examines in a short time and quite inexpensively, for the individual and the entrepreneur, disputes arising from their transactions with banks and investment companies.

It is composed by the members involved in it, namely the Hellenic Bank Association, the Association of Members of the Athens Exchanges and the Hellenic Fund and Asset Management Association.

Pioneering for the Greek standards, H.O.B.I.S. operates in accordance with the principles established by the European Commission for the out-of-court settlement of disputes (independence, transparency, adversarial principle, effectiveness, legality, liberty and representation) and proves that it is possible to improve the financial system from the inside, by consensus as well as educationally.

The fact that it is the only self-regulated specialized mediation scheme in Greece, is its main comparative advantage. It is indicative that 67,33% of the disputes we examine are settled by the parties at an early stage.

As an extra-judicial dispute settlement institution, H.O.B.I.S. achieves the desired result by restoring the confidence between the parties without the involvement of control mechanisms, defusing the tension, explaining the data and proposing a fair and mutually acceptable solution. Furthermore, by aiming to improve the quality of financial services provided, it records topical or systemic problems and conveys its findings and suggestions to its participating members.

H.O.B.I.S. participates in the International Ombudsman Association and is a founding member of the Financial Dispute Resolution Network (FIN-NET), set up by the European Commission, which currently has 58 members from 27 countries. In the context of FIN-NET we examine disputes arising from cross-border transactions. Furthermore, we examine complaints made by non-E.U. residents (USA, Australia, Canada).

During 2013 we received a total of 9.605 phone calls and visits to our offices, including 8.457 referring to private transactions, 563 to professionals and small businesses and 585 to investment transactions. We also received 1.508 written complaints. 1.214 out of these were about private banking, 183 about professionals and small businesses and 111 referred to investment transactions. Overall, in 2013 we processed 1.885 written cases. Finally, there were over 21,000 visits to our website (www.hobis.gr).

It is worth noting that, over the past year, a significant number of cases presented in our institution were in absolute accordance with the overall situation in our country and the overall contraction in the volume of banking and investment business, so the phone calls/visits and written complaints received by H.O.B.I.S. were prominently reduced compared with the corresponding period of the year 2012 but also due to the modification of the provisions of law 3869/2010 regarding the out-of-court process compromise.



Many requests were about restructuring underpaid credit cards and loans that were granted to Swiss franc, by both private individuals and entrepreneurs. Numerous were the disputes regarding additional collateral due to the reduction of the property value, as well as the summing of underpaid amounts with the rest of the customers deposit accounts, joint, individual or payroll and the withholding revocation order.

Other disputes also involved allegations of credit card or loan contracts in the event of request for their integration in law 3869/2010, which regulates debt for individuals, forced property entry of the debtors and loan requests rejection or limit increase. Quite frequent were the protests about the way debtor information companies were harassing the indebted customers.

Until June 2013, and in the context of law 3869/2010 for regulating the debt of indebted individuals, we acted as an auxiliary institution for out-of-court settlement of debt of indebted individuals for the fourth consecutive year.

Moreover, we dealt with issues concerning the absorption-consolidation of credit institutions, the abolition of their privileges (e.g. charges such as lifting the mortgage costs, which were not estimated) and the guarantee of deposits and we became recipients of several complaints regarding the repossession of payroll and pension accounts.

In 2013, H.O.B.I.S. cooperated with various authorities and bodies such as the General Secretariat for Consumer Affairs, the independent authority "Hellenic Consumers' Ombudsman", other consumer associations, etc., as well as with representatives from banks and investment companies.

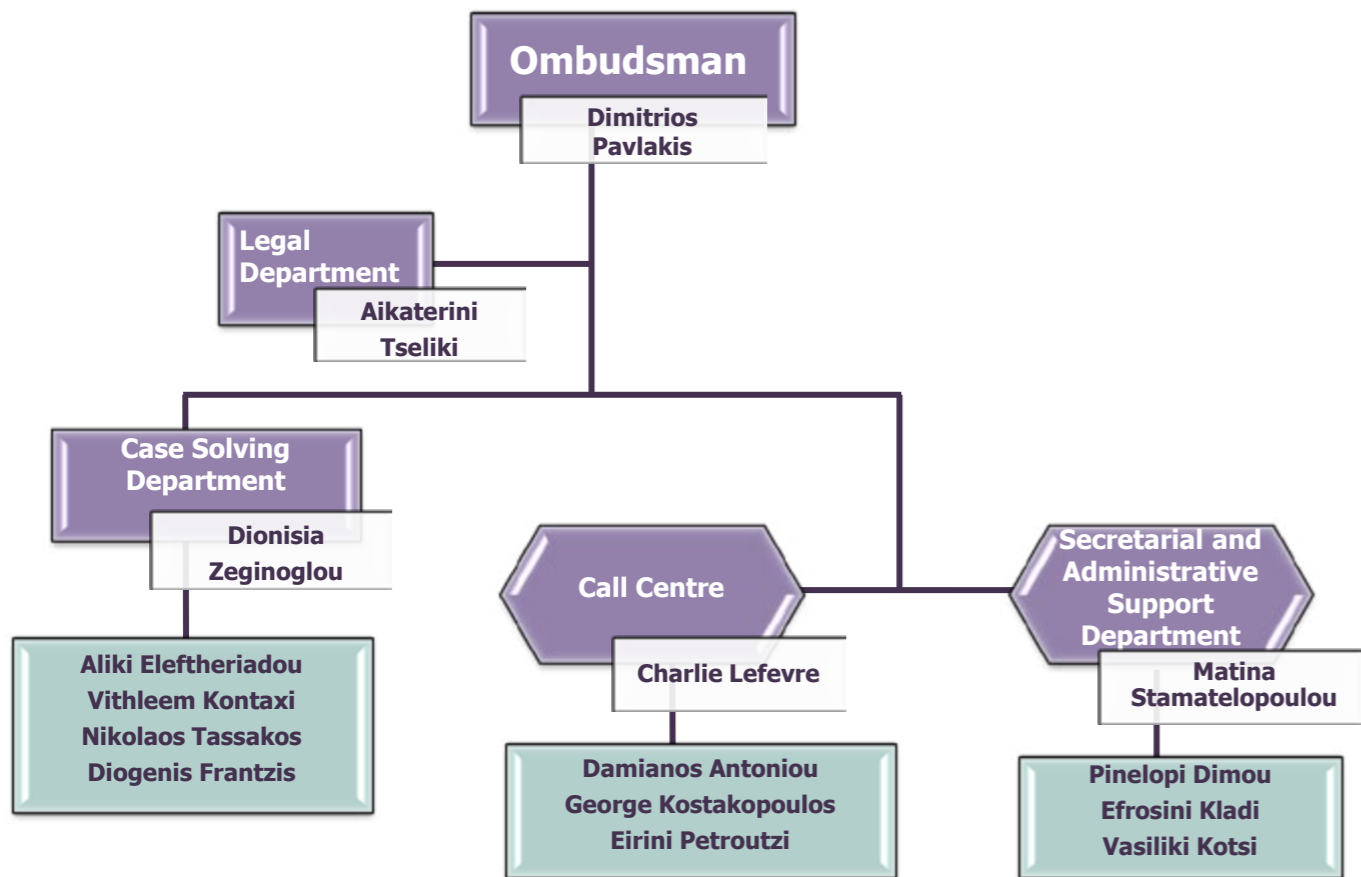
In the H.O.B.I.S. annual report we present the main problems of customers (individuals, entrepreneurs, investors, cross-border), we provide statistics and examples of cases, as well as detailed statistics on the activity of the institution.

Until today, H.O.B.I.S. responded fully to its objectives. It gathered and processed a large number of complaints, giving emphasis to the quality of its work. In this way, it became prominent in the minds of consumers and was recognized by the State as a credible institution of alternative dispute resolution (Law 3606/2007 "Financial instruments market and provisions", Law 3862/2010 "Payment Services", Law 3869/2010 "Regulation of indebted individuals with debts and other provisions", Law 4099/2012 "UCITS", J.M.D. Z1-699/2010 concerning consumer credit contracts, J.M.D. Z1-111/2012 and M.D. Z1-569/2013 Out-of-court settlement of disputes register).

In full awareness of the current situation, our work has gained a strong social dimension. With the support of our founding institutions and the collective effort of our staff, we have adapted and responded to new challenges and will continue to respond effectively, because we understand that our mediation will contribute to the gradual restoration of the financial system relations with its clientele in order to contribute to the creation of an environment that the market needs now that our country is moving out of the crisis.

Dimitris Pavlakis
Hellenic Ombudsman
for Banking - Investment Services

Organizational Chart



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Complaints



7

	Consumers			Entrepreneurs			Investors			Total		
	2012	2013	change %	2012	2013	change %	2012	2013	change %	2012	2013	change %
Telephone Calls												
According to the Bank of Greece Table	3,045	2,947	-3.2	488	368	-24.6	421	498	18.3	3,954	3,813	-3.6
Out of the Bank of Greece Table	7,231	4,792	-33.7	191	109	-42.9	0	0	0	7,422	4,901	-34.0
Miscellaneous	945	718	-24.0	229	86	-62.4	93	87	-6.5	1,267	891	-29.7
Written Complaints												
According to the Bank of Greece Table	730	720	-1.4	85	126	48.2	78	87	11.5	893	933	4.5
Out of the Bank of Greece Table	863	341	-60.5	19	29	52.6	0	0	0	882	370	-58.0
Miscellaneous	183	153	-16.4	41	28	-31.7	24	24	0	248	205	-17.3
Total Complaints												
According to the Bank of Greece Table	3,775	3,667	-2.9	573	494	-13.8	499	585	17.2	4,847	4,746	-2.1
Out of the Bank of Greece Table	8,094	5,133	-36.6	210	138	-34.3	0	0	0	8,304	5,271	-36.5
Miscellaneous	1,128	871	-22.8	270	114	-57.8	117	111	-5.1	1,515	1,096	-27.7
TOTAL	12,997	9,671	-25.6	1,053	746	-29.2	616	696	13.0	14,666	11,113	-24.2

* More detailed information regarding the setup of the statistics can be found in the legend of the annex (p. 24).

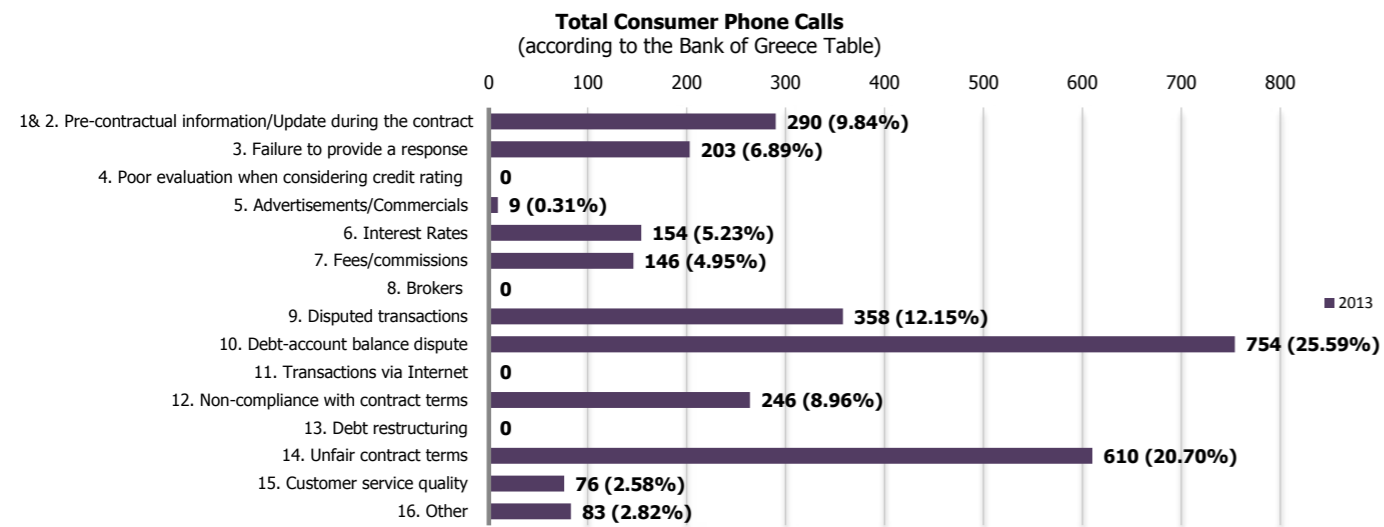
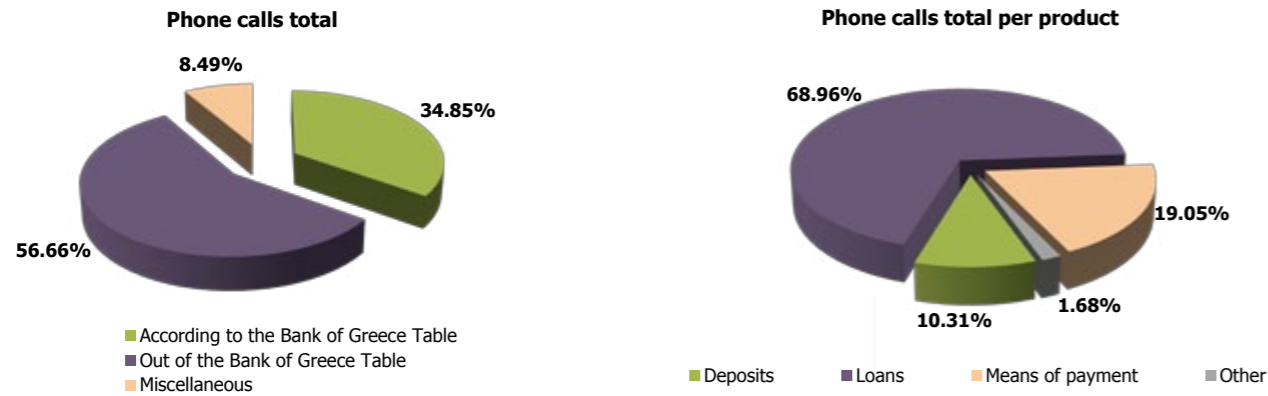


Analysis of telephone and written complaints by sector of activity

I. Consumers

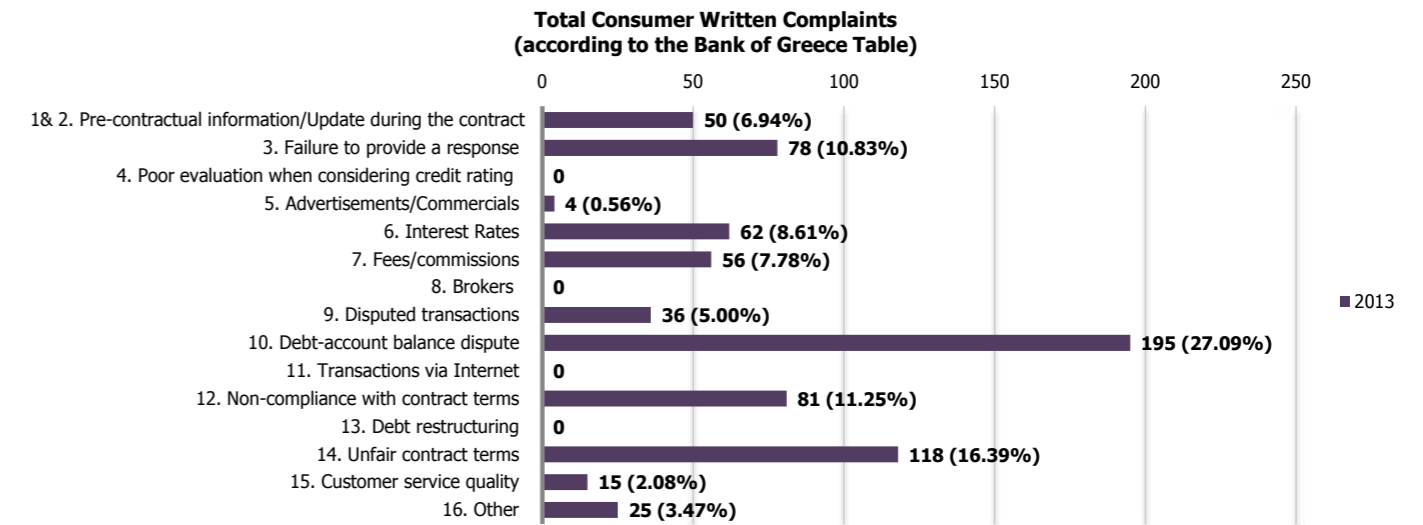
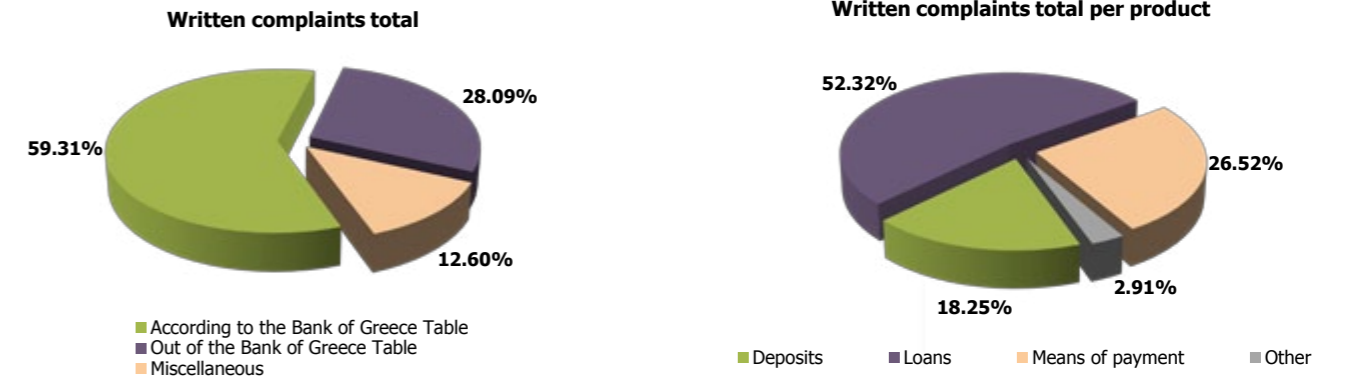
Phone Calls

In 2013 phone calls and visits for complaints, clarifications and information totalled 8,457, compared to 11,221 in 2012, and have decreased 24,63%. 7,739 (91.51%) of those concerned matters which fell within the competence of H.O.B.I.S.



Written Complaints

In 2013, 1,214 written complaints were submitted compared to 1,776 in 2012 indicating a 31.64% decline. 1,061 (87.40%) of those concerned disputes which fell within the competence of H.O.B.I.S.



Resolved Cases

In 2013 we examined 1,545 written complaints compared to 2,452 in 2012, showing a 36.99% decrease. The degree of satisfaction, expressed as the sum of the percentages of full satisfaction and settlement, amounted to 67.37%.

Deposits

Selected cases

1774/2012 - Reimbursement of retained amounts

The bank paid off to the Public, because of the 20-year limitation period, the deposits of two savings accounts of beneficiaries without informing them first and despite the fact that they had supplied their books in 1993 for interest updating and crediting. After our Office's intervention, the bank fully satisfied their claim and paid the amounts that were withheld.

674/2013 - Reimbursement of retained amount

On May 30th and June 27th the bank summed up the unpaid dept of its customer with the rest of his disability pension account, without notifying him first. Through the mediation of our Office, the amount of 1,870.47 € was reimbursed.

Loans

Selected cases

481/2013 – Interest reimbursement

The customer complained about the non-adjustment of his housing loan variable interest rate at the interest rate changes of the European Central Bank, with which it was connected. During the examination of the case it came up that the bank had the right to increase or to decrease the interest rate depending on the fluctuations of the above reference rate resulting in inappropriate adjustment.

Consequently, we recommended to the bank, the amendment of the relevant clause of the contract without charging the customer and the reimbursement of the unduly paid sums of extra interest received, in application of the present provisions.

981/2013 – Mortgage release

The customer is complaining about long delays in the process of mortgage releasing, despite the complete payment of a housing loan. After the mediation of our Office, the customer was invited to go to the bank to sign the mortgage release.

Means of payment

Selected cases

1116/2012 - Disputed transactions

The customer questioned seven transactions-purchases from stores in total amount of 547,55 € in San Francisco, USA, on July 17th-18th, 2011, with his lost card before the statement of theft on July 19th, 2011 at 19:03 pm. The Ombudsman, due to the comparison of signatures on the relevant payment documents with the customer's signature that was found an insufficient control of identification from the stores and the owner's own responsibility from non-diligent credit card storage, suggested to the bank a 30% discharge from the cost of the total amount paid of 547,55 € with interest. The bank accepted the recommendation.

1600/2012 - Disputed transaction

A bank customer tried to deposit 1,200 € to his account via an ATM machine. During the transaction, a message appeared on the screen which informed him that the notes were not recognized, the transaction was canceled and that he had to appeal for help in the bank store showing the printed message. The money were not refunded. The customer entered the store and requested the assistance of the manager. There he was asked if he had taken his card out of the ATM machine. Afterwards, he stepped out of the bank and managed to get his card out while it was still inside the machine. Unfortunately, it was found out that while the card was still in, a third person took the notes which in the meantime had gone out of the machine. The customer complained because despite the fact that he followed the instructions provided in the message printed, neither the card nor the money had gone out of the machine before the printing of the message. He requested the Ombudsman's intervention, which resulted in the return of the 1,200 € to the customer.

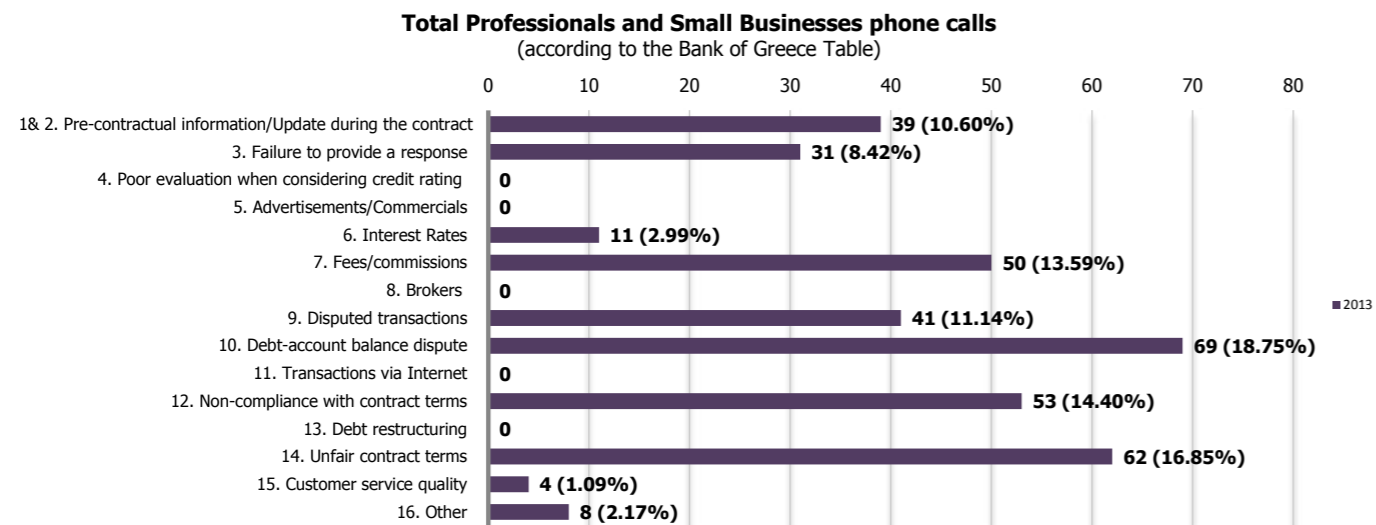
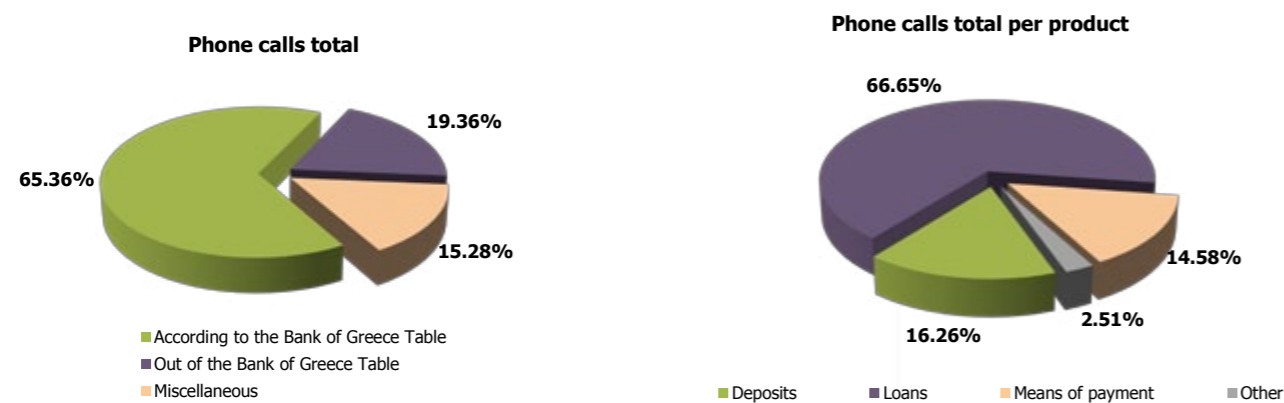
104/2013 – Process dispute

The customer bought a TV-set using his credit card, that was to be paid in 24 installments. However, the device had a problem and the company accepted his request for the return of the device and the cancellation of the transaction. Therefore, it proceeded to credit the amount. However, the transaction was carried out through the inter-bank network and he was informed that there is no possibility of maturing the installments and that for 24 months the amount of the installments will be charged and credited directly to his account. After the intervention of our Office to the two banks involved, the customer's request was satisfied and the maturation of the installments was held.

II. Professionals and small business

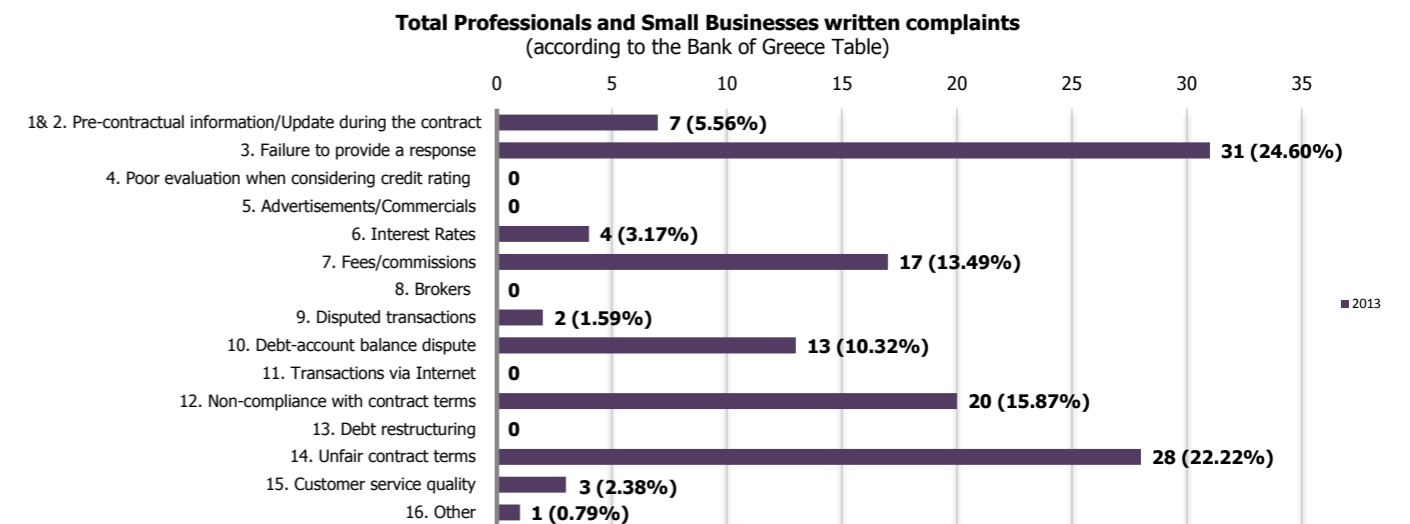
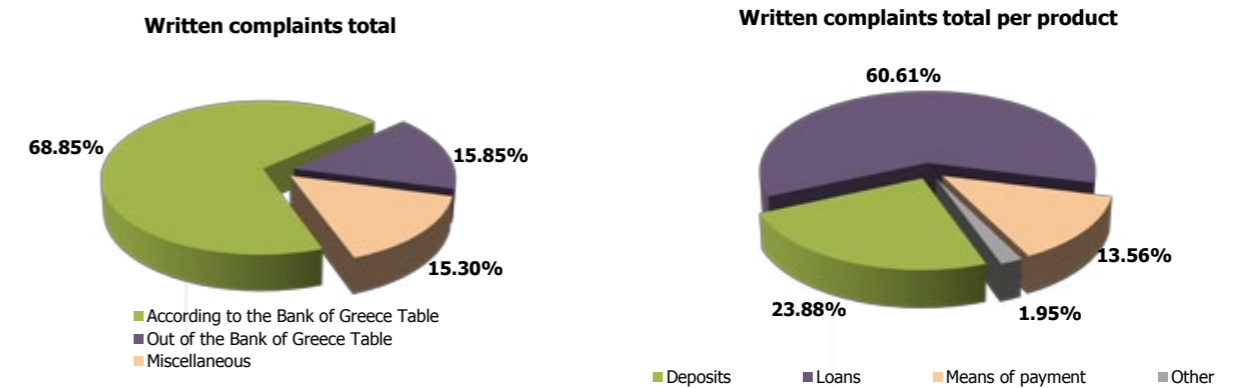
Phone Calls

In 2013, phone calls and visits for complaints, clarifications and information amounted to 563, compared to 908 in 2012, having a decrease of 38.00%. Of those, 477 (84.72%) pertained to matters which fell within the H.O.B.I.S. competence.



Written Complaints

In 2013, 183 written complaints were submitted compared to 145 in 2012 indicating a 26.21% increase. 155 (84.70%) of those concerned disputes which fell within the competence of H.O.B.I.S.



Resolved Cases

In 2013 we examined 201 written complaints compared to 185 in 2012, showing a 8.65% increase. The degree of satisfaction, expressed as the sum of the percentages of full satisfaction and settlement, amounted to 69.14%.

Selected cases

139/2012 - Reverse charges

The customer alleges that although the good contract performance letter of guarantee that the bank issued in his favor expired on 17.4.2004, the bank continued for over 4-5 years to charge annual expenses, while recently charged his account with 500 €. In a reminder from the bank to pay 1,125 € due to commissions from the letter of guarantee and to return its body or to provide confirmation that the reasons for its issue became extinct, he informed them that there is no body of guarantee letter because it had been stolen and that since 2004 he stopped his collaboration with the company. Because of our Office's intervention, the bank settled his case with the cancellation of the guarantee letter and the return of the amount of 1,312.05 €, credited to his business loan account.

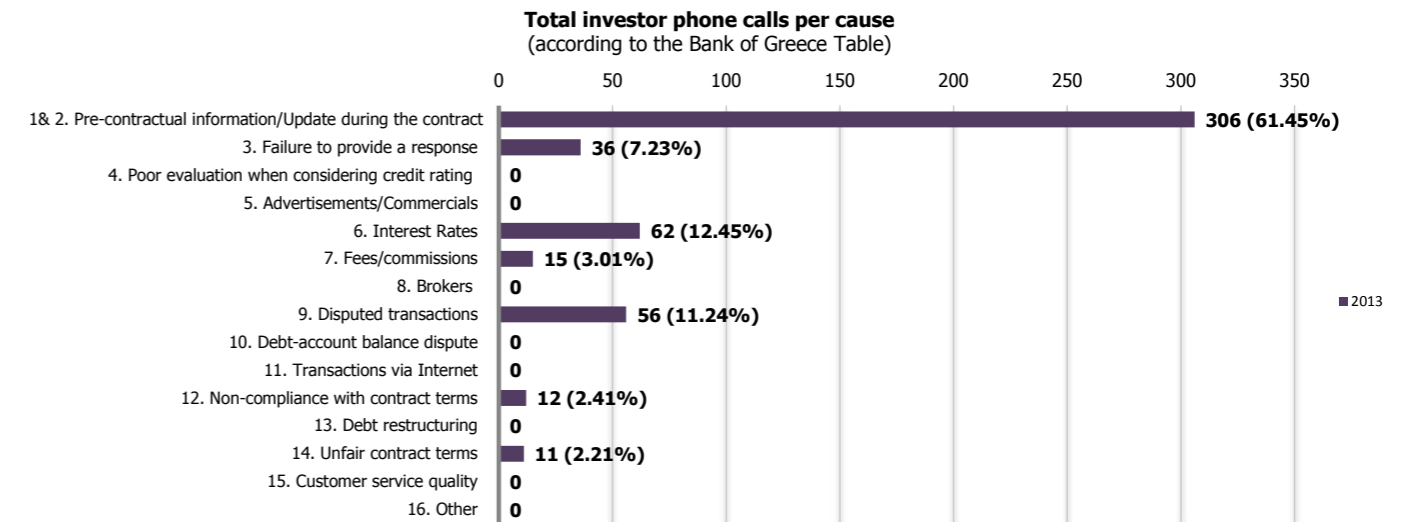
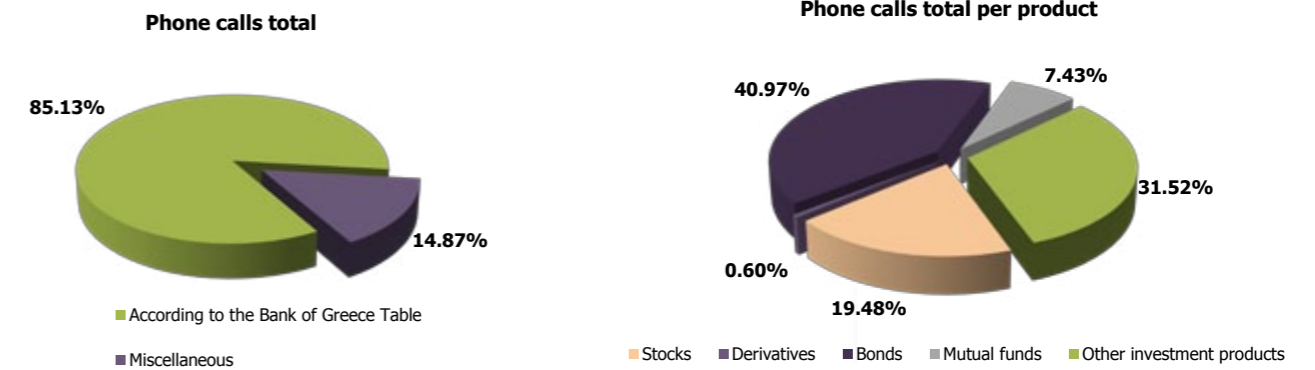
3/2013 - Deletion from Tiresias list

The customer complains because, although his direct notification to the bank of stolen cheques from his company on October 10th, 2011, three of his cheques bounced when presented, due to "missing or closed account" and the bank did not take appropriate measures to protect him. As a result, he was posted in TIRESIAS and the bank issued a payment order against him. After our mediation, the bank informed us that they approved the deletion of two cheques from Tiresias SA which had been announced by mistake, due to disorderly issue. They also apologized for the incident, stating that there was no intention by the executives of the bank to cause inconvenience and it was all the result of an unfortunate situation.

III. Investors

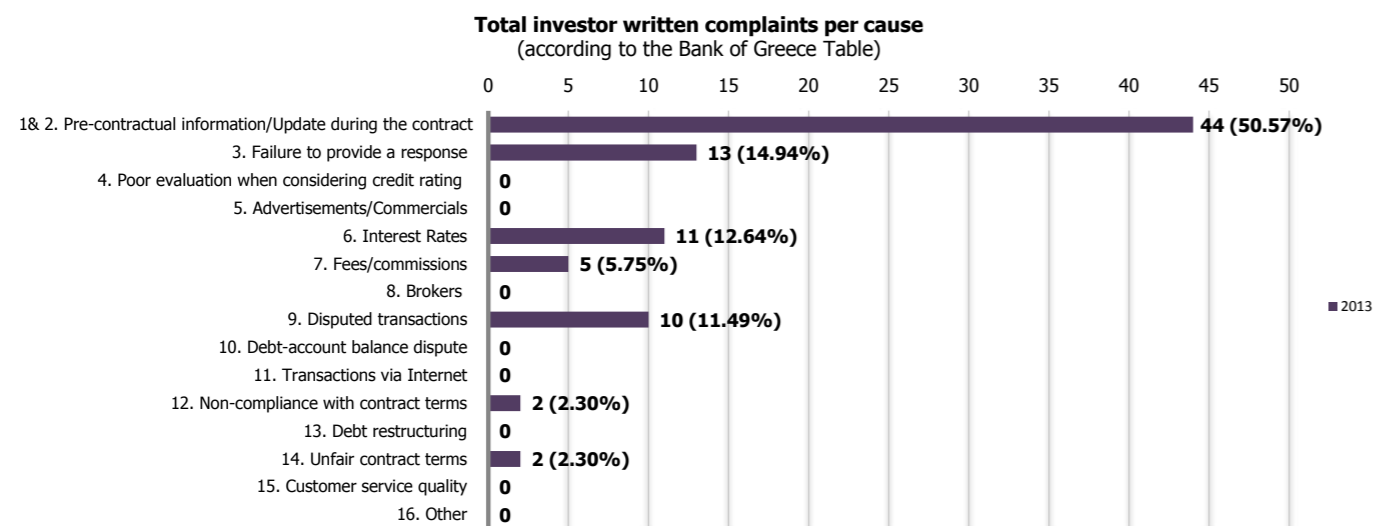
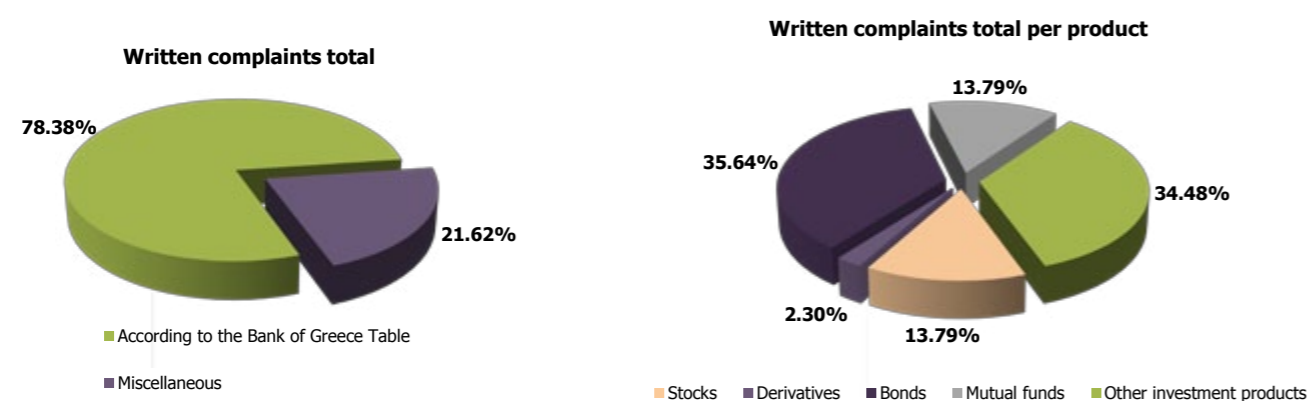
Phone Calls

In 2013, phone calls and visits for complaints, clarifications and information amounted to 585 compared to 514 in 2012 and have increased 13.81%. Of these, 498 (85.13%) pertained to matters which fell within the H.O.B.I.S. competence.



Written Complaints

In 2013, 111 written complaints were submitted compared to 102 in 2012 indicating a 8.82% increase. 87 (78.38%) of those concerned disputes which fell within the competence of H.O.B.I.S.



Resolved Cases

In 2013 we examined 148 written complaints compared to 138 in 2012, showing a 7.25% increase. The degree of satisfaction, expressed as the sum of the percentages of full satisfaction and settlement, amounted to 64.15%.

Selected cases

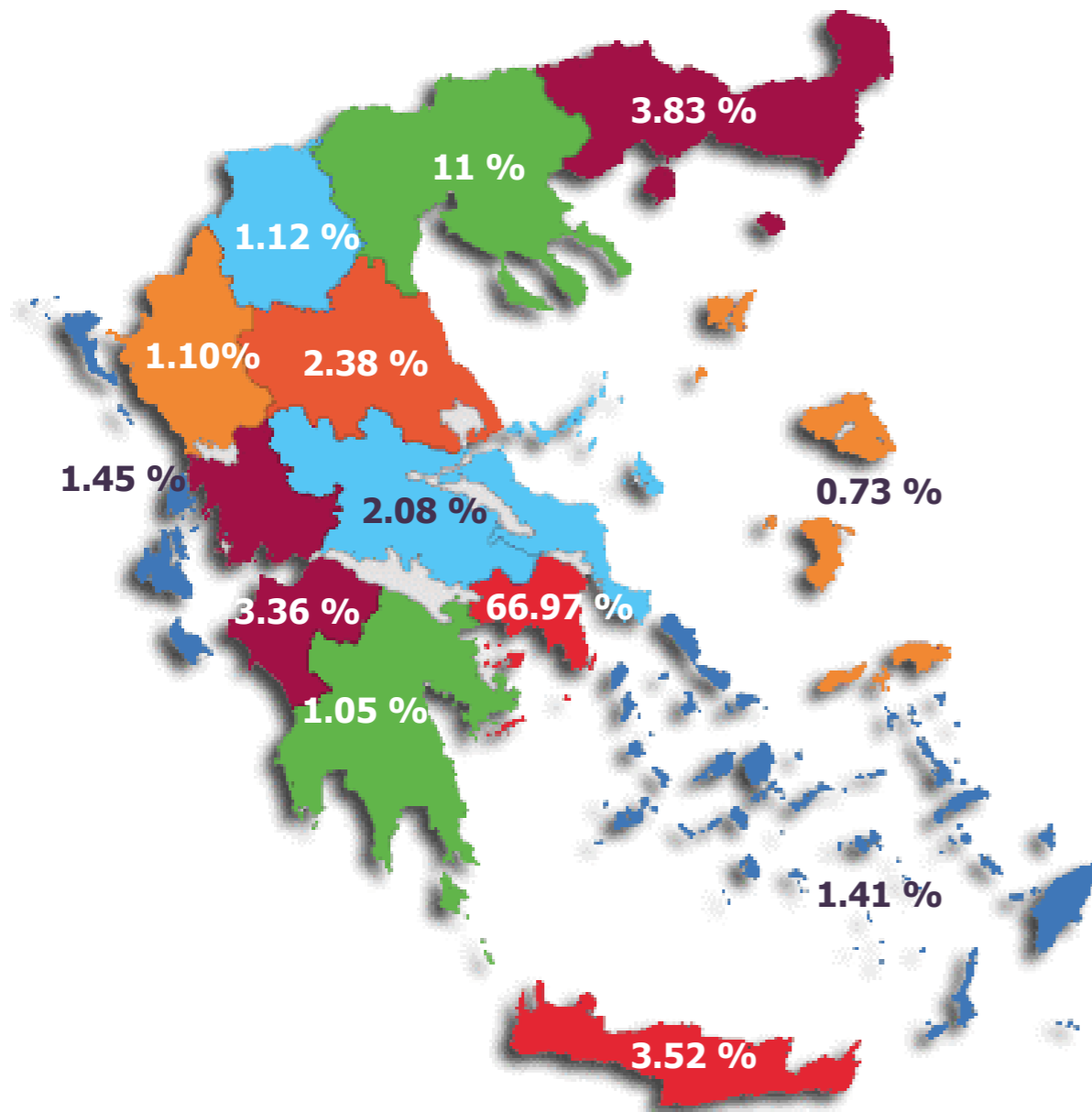
16/2013 - Partial compensation

The customer has requested the granting of bond purchase documents because he questions adequate information given during its promotion. The bank in its reply mentions that the relevant documents could not be found in the file. After our mediation by submitting queries to the bank, we were informed that a series of contacts and consultations between the two parties had started, towards an amicable resolution of the dispute. Finally, they agreed to an 80% compensation of the nominal value of the bonds by offsetting an interest that already was credited, leading in full satisfaction of the customer.

85/2013 - Full compensation

The customer denies her involvement in an insurance/investment product in which, according to the bank's allegations, she has been involved with the amount of 12,000 €. She sought the delivery of the signed by her participation documents for that particular product in order to stop questioning the credibility of the bank, otherwise she demanded her account to be credited with that amount. After our mediation and while having examined the case, the bank informed us that it would satisfy the claim of the customer and credit her account with the disputed amount.

Geographical distribution of complaints



Most complaints received come from the Attica region (66.97%), followed by the region of Macedonia-Thrace (15.95%), Crete (3.52%) and Western Greece (3.36%).

IV. Cross-border disputes

Cross-border disputes are the complaints received by H.O.B.I.S. under its participation in the Cross-Border Out-of-Court Complaints Network for Financial Services (FIN-NET). The FIN-NET connects the national extra-judicial dispute settlement schemes of the European Union (EU) and the European Economic Area (EEA).

H.O.B.I.S. examines, as the competent scheme, within the framework of its competence, complaints filed by EU and EEA residents in relation with the transactions with its member banks and investment companies.

In addition, H.O.B.I.S. becomes recipient of domestic residents complaints arising in their dealings with financial institutions in the EU and the EEA. In this case, acting as the nearest scheme, provides information and refers interested parties to the competent scheme abroad.

The table below shows that in the year 2013, in 93 cases H.O.B.I.S. acted as the competent scheme and in 28 cases as the nearest scheme.

H.O.B.I.S. examined and settled, as a competent scheme, 93 cases. In 40 of these the complainant was vindicated while in 21 cases the bank and 32 was out of H.O.B.I.S. competence.

Also, in a total of 28 complaints received by H.O.B.I.S. as the nearest scheme, the complainants were instructed to address to the competent scheme abroad.

	COMPETENT SCHEME	NEAREST SCHEME
A. GEOGRAPHIC REGION	93	28
- EU & EEA	58	26
- non FIN-NET	35	2
B. SETTLED	93	-
C. PENDING	-	-
D. SETTLEMENT METHOD		
- By a bank	37	-
- HOBIS Intermediation	24	-
- Referred abroad	-	28
- Out of competence	32	-
E. Result		
- In favour of the consumer	40	-
- In favour of the bank	21	-
- Out of competence	32	-

Selected cases

573/2013 - Disputed account charges

The customer, a Ukrainian resident, kept a savings account in a Cypriot bank. He claims that he found out that fraudulent transactions have been made from his account. He demanded the reversal of these amounts. However, his bank merged with another Greek bank, leading to a difficulty in identifying the appropriate customer services. Finally, after our mediation, these amounts were credited to his account.

898/2013– Incomplete information

The customer, of Greek origin and a New Zealand resident, had a savings account at Greek bank, which, however, does not exist today, because it was merged with another bank several years ago. She was searching for her account and the rest of her deposit and was baffled because she did not know in which bank she should look for the relevant information. Her request was transmitted from our Office to the relevant bank and finally the account was identified and all the requested information was granted.

Legent



Legend

According to the Bank of Greece
1. & 2. Pre-contractual information/Update during the contract
3. Failure to provide an answer
4. Poor evaluation when considering credit rating
5. Advertisements
6. Interest rates
7. Fee/commissions
8. Brokers
9. Disputed transactions
10. Disputed debt - account balance
11. Transactions via Internet
12. Non-compliance with contract terms
13. Debt restructuring
14. Unfair contract terms
15. Customer service quality
16. Other
Out of the Bank of Greece Table
1. Over-indebtedness
2. Debt adjustment
3. Personal data protection
4. Clarifications
Other Topics
Out of H.O.B.IS. competence