

# ACA Repayment Appeals

The Rt Hon Sir Paul Kennedy

Mr Frank Roy MP  
House of Commons  
Westminster  
London  
SW1A 0AA

28 January 2010

*Dear Mr. Roy,*

The ACA Review says that in 2005–2006 you were overpaid in respect of mortgage interest by £545.79, and recommends repayment of that sum.

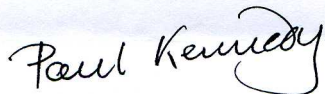
In the Grounds of Appeal you say that a comparison of the mortgage statement from your mortgage lender, Bank of Ireland, and your ACA claims shows that you paid interest amounting to £11,911.84, and only recovered through ACA £11,087.37.

The documentation you have produced to me was not all available for the Review team, which had to make calculations without it. Having seen your copies of your ACA claims I accept that you recovered £11,087.37, your initial 2-month claim being reduced by £802.63 to allow for a period of dissolution. I also accept that you paid £11,911.84 to your mortgage lender, but that figure also has to be reduced by £802.63 before a proper comparison can be made. It comes down to £11,109.21. Thus it becomes clear that in the relevant fiscal year you did not overclaim. You underclaimed in respect of mortgage interest by £21.84.

Accordingly, I find special reasons in your individual case showing that it would not be fair and equitable to require any repayment, and I would allow your appeal.

My report to the MEC will be in the form of an introductory section, followed by copies of my replies to the individual appellants, so this reply will form part of my report.

Yours sincerely



Sir Paul Kennedy