

## The complaint

Mr A complains that Capquest Debt Recovery Limited (“Capquest”) failed to remove his address details and continued to pursue him for a debt that wasn’t his.

## What happened

The details of this complaint are well known to both parties, so I won’t repeat them again here. Instead I’ll focus on giving my reasons for my decision.

## What I’ve decided – and why

I’ve considered all the available evidence and arguments to decide what’s fair and reasonable in the circumstances of this complaint.

I know it will disappoint Mr A, but I agree with the investigator’s opinion. Please let me explain why.

Where the information I’ve got is incomplete, unclear or contradictory, as some of it is here I have to base my decision on the balance of probabilities.

I’ve read and considered the whole file, but I’ll concentrate my comments on what I think is relevant. If I don’t comment on any specific point it’s not because I’ve failed to take it on board and think about it but because I don’t think I need to comment on it in order to reach what I think is the right outcome.

In 2014 this service agreed that Capquest had been wrong to pursue Mr A for a debt that wasn’t his. We told Capquest to remove his address from their system and to compensate him for the error.

I can understand that Mr A was distressed when they contacted him again in 2019 about the same debt. Capquest clearly made an error and, in those circumstances, I’ve thought about what they should do to put things right. To do so, I’ve had to think about the impact their mistake has had on Mr A.

Whilst I can understand their mistake was distressing I don’t think it had a financial impact on Mr A. The matter seems to have been resolved on the day Capquest first made contact.

Capquest have explained that they had Mr A’s phone number because they had been told by the credit reference agency that it belonged to another customer. They were not aware, in 2013/2014 when the original complaint was raised, that the number belonged to Mr A. They’ve also explained that, rather than remove Mr A’s address from their system, they had marked it as “*incorrect*”. I understand their reasoning as I can understand they would not have wanted to inflame the situation and to contact Mr A if they were erroneously given Mr A’s address again in relation to the debt they were holding. But I think they should have explained this to Mr A when they made the decision to do so after our service had told them to simply remove the address. For those reasons I think they should compensate Mr A for the distress and inconvenience their mistake has caused him.

But I can see that's what Capquest have done. They've offered £150 compensation for the distress and inconvenience caused and, in the circumstances, I think that's sufficient.

**My final decision**

For the reasons I've given above I don't uphold this complaint as I think Capquest Debt Recovery Limited have provided adequate compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 22 September 2020.

Phillip McMahon  
**Ombudsman**