

## **The complaint**

Mr S complains that he's received a letter about a debt owed to TSB Bank plc in relation to an account which he says he cleared many years ago.

## **What happened**

In September 2000 Mr S opened a current account with TSB. In 2014 the account reached its overdraft limit. Mr S didn't repay the overdraft and the account was defaulted and subsequently sold to a number of third-party debt collection companies.

In January 2020 Mr S received a letter from a debt collection agency about the account, which said there was an outstanding balance of £648.72.

Mr S didn't think the account belonged to him and complained to TSB. In response, TSB said the debt related to the account opened in September 2000 and that there was no evidence to suggest that the account did belong to Mr S.

Mr S wasn't happy with the response and complained to this service.

Our investigator thought there was enough information to show that the account belonged to Mr S and said that TSB had acted fairly in pursuing the debt.

Mr S didn't agree. He said he'd previously cleared the account in 2014 and that TSB was pursuing the debt in error.

## **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've looked at the information provided by TSB. This shows that Mr S opened an account in September 2000 in his name. Later, in 2012, he opened an ISA in the same name. TSB has confirmed that letters and statements were sent to Mr S about the account, including an arrears letter in September 2014 and a formal demand in October 2014.

I've looked at the account history and I can see that the account was overdrawn in 2014. I can't see that Mr S made any payments to clear the account. TSB has said that the account was transferred to the recoveries team on 29 October 2014.

Based on what I've seen, I think it's more likely than not that the account belongs to Mr S.

I've thought about whether TSB has acted fairly in pursuing the debt. Looking at the information provided, I'm satisfied that TSB took reasonable steps to notify Mr S about the overdrawn account and ask him to repay it. There's no evidence to show that the account was repaid. So, I'm unable to say that TSB has acted unfairly or done anything wrong.

I appreciate that Mr S feels very strongly that he closed the account in 2014. I've looked at the statement that he's provided to support this. Whilst I agree that it looks as if the account balance has been cleared, what has happened here is that the balance has been charged off internally by TSB and the debt passed to recoveries. In the absence of any evidence that Mr S made this transaction, I'm not persuaded that the account has been cleared.

Based on everything I've seen, I'm unable to say that Mr S cleared the account, or that TSB has made an error in pursuing the debt.

### **My final decision**

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 5 July 2021.

Emma Davy  
**Ombudsman**