

The complaint

Mrs H complains about a declined request to write off her debt with Capquest Debt Recovery Limited ("Capquest").

What happened

The details of this complaint are well known to both parties, so I won't repeat them again here. The facts are not in dispute, so I'll focus on giving the 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.

Having done so, I agree with the conclusions reached by the investigator for these reasons:

- Capquest asked for medical evidence that Mrs H supplied.
- It was clear from that medical evidence that Mrs H was unable to work due to her condition. When the medical evidence was sent to Capquest, it was within 12 months of the date the GP assessed her.
- On this basis, I conclude that Mrs H provided what was asked for and her request wasn't fairly assessed.
- Since the investigators view, Capquest have now agreed to write off the balance, but didn't agree to pay compensation.
- Due to the delay in accepting the medical evidence and the trouble and upset this has caused Mrs H, I'm satisfied Capquest should pay Mrs H £200 compensation.

For these reasons, my decision is to uphold Mr H's complaint

Putting things right

Capquest Debt Recovery Limited should write off the balance of the account as previously agreed and pay Mrs H a £200 trouble and upset payment.

This should also be confirmed to Mrs H in writing once done.

My final decision

My final decision is that I uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 30 April 2022.

Tom Wagstaff
Ombudsman