**The complaint**

Mr M complains that Cabot Credit Management Group Limited is pursuing him for debt that has previously been decided need not be paid.

**What happened**

Mr M says he made a previous complaint about a business I will call "N" which was upheld in his favour. He says it was decided he didn't need to pay a debt he owed it. Mr M says N sold Cabot the debt and it asked him for the balance of just over £3,000. He says Cabot shouldn't have asked him for the money and that it should pay him compensation of £6,000. He also says Cabot should have carried out due diligence on the debt and realised that N shouldn't have sold it. Mr M says the Equality Act 2010 has been breached.

Cabot says it was assigned the debt in 2020 and took it over in good faith. It says it was entitled to ask Mr M for the money and says it spoke to N when concerns were raised. Cabot says it will no longer pursue Mr M for the money but will not pay him the compensation he would like.

Mr M brought his complaint to us and our investigator didn't uphold it. The investigator thought Cabot bought the debt in good faith and it isn't responsible for what took place before or for the actions of N. The investigator explained to Mr M that it would be for a court to decide if the Equality Act 2010 had been broken but thought Cabot had dealt fairly and reasonably with the complaint. The investigator also thought that Mr M's representative had asked for all correspondence to be in writing.

Mr M doesn't accept that view and in summary he says Cabot should pay £800 for his counselling costs caused by what took place

**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 have come to the overall view that I don't uphold this complaint. I appreciate Mr M will be disappointed by my decision and appreciate how strongly he feels about this complaint. I make clear to Mr M that I can only consider the actions of Cabot in this complaint and can't fairly hold it responsible for what may have taken place before it acquired the debt. I also can't consider the actions of N.

I'm satisfied that Cabot bought a debt from N in good faith. I have not seen any evidence Cabot made a mistake in doing so and can't see that it would have been aware of the previous complaint Mr M made about N or about any resolution to that complaint. Overall, I'm satisfied Cabot was entitled to ask Mr M to repay a debt that was legitimately sold to it.

I can see that Mr M told Cabot about some of the previous issues he had with N. I can also see that Cabot fairly placed the account on hold and fairly spoke to N about the debt. I'm satisfied that Cabot then took, what I am sure Mr M agrees with, the decision to no longer

ask Mr M to repay the debt. It is difficult to see what else Cabot could do to help Mr M.

I appreciate Mr M says Cabot breached the Equality Act 2010. But as the investigator has explained it would be for a court to decide on such matters. We look at a complaint and decide if a business acted fairly and reasonably. And having done so I'm satisfied that Cabot acted in such a way here. I can't fairly hold Cabot responsible for Mr M's representative telling it that all correspondence should be in writing if that wasn't how Mr M wanted such communication. I have not seen any evidence on Cabot's records that Mr M told it how he wished to be communicated with apart from in writing.

Overall I'm satisfied that Cabot dealt fairly with this complaint and it follows that I can't fairly order it to pay Mr M the £6,000 compensation he would like or the £800 for his counselling costs in circumstances where I don't think it made a mistake. I find this now brings an end to what we in trying to resolve this complaint informally can do.

**My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 1 July 2022.

David Singh
**Ombudsman**