

The complaint

Mrs H complains that Arrow Global Limited unfairly obtained a County Court Judgement (CCJ) in her name.

What happened

Arrow says it acquired a defaulted credit card debt in Mrs H's name in 2011. Mrs H made regular payments to Arrow's agents, M, for several years. In May 2012 Mrs H updated her address with M. But in 2019 M contacted Mrs H and explained it had returned the account to Arrow.

Arrow then instructed a firm of solicitors to collect the debt from Mrs H and it ultimately obtained a CCJ in her name. Mrs H has told us she found the CCJ when checking her credit file so contacted M and Arrow to complain.

Arrow sent Mrs H a final response on 8 December 2021. Arrow said M had failed to pass on Mrs H's updated address when the account was returned. As a result, follow up collections activity and associated court correspondence wasn't sent to Mrs H's current address. Arrow arranged for the CCJ to be removed but didn't uphold Mrs H's complaint.

An investigator at this service looked at Mrs H's complaint and upheld it. They asked Arrow to pay Mrs H £150 to reflect the distress and inconvenience caused by its actions. Despite several attempts to get a response, Arrow didn't confirm whether it accepted or not. As Arrow didn't respond, Mrs H's complaint has been passed to me to make a 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.

Arrow has confirmed its agents, M, updated Mrs H's address back in 2012 but failed to pass the new details on when the account was returned. As a result, when legal action was taken the pre claim documents were sent to the wrong place. And that meant Mrs H was unaware of Arrow's intention to take the matter to court. I'm pleased Arrow has taken action to reflect the error M made and arranged for the CCJ to be removed. That means, Mrs H is broadly back in the position she should've been in.

Our investigator upheld Mrs H's complaint and directed Arrow to pay her £150 in recognition of the distress and inconvenience caused. I can see the investigator sent emails to Arrow chasing a response. And I can also see we've sent Arrow confirmation that the case has been referred for an ombudsman's decision because it didn't get back to us. The investigator issued their view of Mrs H's complaint in mid May 2022, more than two months ago. I'm satisfied Arrow has had reasonable opportunity to respond.

In the absence of a response or new information from Arrow, I'm going to uphold Mrs H's complaint. I'm satisfied errors by Arrow's agent meant Mrs H's address wasn't updated. And, I'm satisfied that had a direct impact on the following legal action Arrow took. I can see the

situation has caused Mrs H some distress and inconvenience. So I'm going to uphold this complaint and tell Arrow to pay Mrs H £150. In my view, that figure fairly reflects how the issues raised have affected Mrs H.

My final decision

My decision is that I uphold Mrs H's complaint and direct Arrow Global Limited to pay her £150 for the distress and inconvenience caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 23 August 2022.

Marco Manente
Ombudsman