

The complaint

Mr R complains that Intrum UK Limited are pursuing him for a debit which he disputes.

What happened

In November 2019 a credit card debt in the sum of £3,739.46 in Mr R's name was sold to Intrum.

Mr R contacted Intrum and disputed the debt. He requested a copy of the credit agreement and sent a subject access request. Intrum placed the account on hold pending receipt of documents from the original creditor.

In March 2021 the documents were sent to Mr R. In July 2021 Mr R advised Intrum that he had made a complaint against the original creditor. Mr R also complained that Intrum had obtained a fiduciary gain by purchasing the debt from the original creditor, and that Intrum had ignored notes relating to his vulnerability.

In response, Intrum said it wasn't aware of any vulnerabilities which affected Mr R's ability to communicate with them or to manage his finances. Intrum stated that the debt had been sold to it on 28 November 2019 and that at the time, there were no outstanding disputes relating to the account. Intrum said that it wrote to Mr R requesting payment of the outstanding balance and, having received no response, instructed solicitors to commence proceedings. Intrum said it hadn't commenced proceedings to obtain a fiduciary gain but simply to recover the balance due.

Mr R was unhappy with the response and complained to this service.

Our investigator didn't uphold the complaint. He said it was standard industry practice for debt collectors to buy a debt for less than the sum owed, and that it wasn't the role of this service to change how the industry operated.

Mr R didn't agree. He said he didn't think that collecting the full amount of the outstanding debt was a fair outcome. He also said he didn't think his subject access request had been answered correctly.

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 appreciate that Mr R feels very strongly about this. He feels that Intrum is trying to obtain a fiduciary gain and that it has failed to provide information which would assist him in his complaint against the original creditor.

I've reviewed all of the available information to decide whether Intrum has treated Mr R fairly. In relation to Mr R's request for information, I can see that Intrum has provided Mr R with a copy of his agreement and a history of payments made on the account following its default in January 2012. I can see that it took Intrum several months to provide this information, and I

understand that this would've been frustrating for him. However, Intrum was reliant on the original creditor to provide the documents. I haven't seen anything to suggest that the delay was down to Intrum.

I can see that Intrum purchased the debt from the original creditor in November 2019. It wrote to Mr R seeking payment but received no reply, so it started legal proceedings. Mr R has said that Intrum is seeking to obtain a fiduciary gain by its actions. Either because its seeking to recover the full outstanding amount (which is likely to be more than it purchased the debt for), or because it hasn't offered Mr R the option to pay a reduced sum in settlement.

I don't hold any information about how much Intrum paid for the account. However, even if Intrum is asking Mr R to repay an outstanding balance which is more than the purchase price of the debt, I'm unable to say that Intrum has done anything wrong. I agree with the investigator that it is industry practice for debt collectors to buy debts at less than the balance owed. This reflects the risk of being unable to collect in all of the debt. This service isn't able to change jhow the industry works.

I've taken into account the comment made by Mr R about paying a reduced lump sum. This isn't something I'm able to oblige Intrum to agree to. However its open to Mr R to contact Intrum and make an offer.

Based on everything I've seen, I'm unable to say that Intrum has acted unfairly or unreasonably here. I won't be asking it to do anything further.

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 R to accept or reject my decision before 31 August 2022.

Emma Davy
Ombudsman