

## **The complaint**

Miss B has complained that Experian Limited won't remove some defaults from her credit file.

## **What happened**

This complaint surrounds several defaulted accounts being reported on Miss B's credit file by the company who now owns the debts.

In view of Miss B's health situation and the age of the accounts, the debt owner agreed to write off the debts as a goodwill gesture. But they explained they would continue to report the defaults on Miss B's credit file.

Miss B asked Experian to remove the defaults. Experian explained they don't own the data on her credit file – for those accounts, the debt owner does. So they couldn't change the information without the debt owner's consent. They raised disputes with the debt owner, but the debt owner reiterated that the defaults were being correctly reported, so they declined to remove them.

Miss B came to our service. Our investigator looked into things independently and explained that Experian really couldn't remove the defaults without the debt owner's consent. Miss B asked to take things further, so the complaint's been passed to me to decide.

## **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.

First, I understand that Miss B has been going through a truly tough time, and so she has my sympathy. I'm grateful to her for being candid and open with us about her situation, and I'm glad to hear that these debts were written off for her.

I should explain that Miss B's credit file is there to be an accurate reflection of what actually happened with her debts. And when a debt gets written off, it doesn't cease to exist – it still exists, it just means that the debt owner has agreed not to pursue their customer anymore. So even if an account gets written off, like these ones were, they won't usually disappear or be removed from one's credit file. It is correct to report a default on a customer's file when that default actually happened, even if the debt later gets written off.

I should also explain that Experian do not own the data on Miss B's credit file – it's the companies she owed the money to who own the data. And Experian can only change the data with the permission of the company who owns it. So in this case, Experian would only have been able to remove the defaults with the debt owner's permission.

Experian queried things with the debt owner and raised disputes on Miss B's behalf. But the debt owner repeatedly confirmed that the defaults were correct and should not be removed. And I'm afraid there's not really anything more Experian could have reasonably done. Ultimately, it's the debt owner's decision to remove these defaults or not. And we would not normally expect them to be removed.

If it's of any consolation to Miss B, defaults normally disappear from one's credit file six years after the default date. And I can see that some of these defaults were from around six years ago – so some of them will have already fallen off her credit file by now, or will be about to fall off.

But while I know this will come as a disappointment for Miss B, and while it is not my intention to disappoint her, I cannot tell Experian to remove these defaults.

### **My final decision**

For the reasons I've explained, I don't uphold this complaint in this particular case.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 18 October 2022.

Adam Charles  
**Ombudsman**