

The complaint

Mr C has complained that Capquest Debt Recovery Limited chased him for a debt while he'd been keeping up with a payment arrangement.

What happened

This complaint surrounds a defaulted credit card account.

In 2020, Mr C reached an agreement with the debt's owner to make six payments to settle the account. The debt owner then instructed Capquest to service the account.

Mr C made the payments on time, though some were assigned to a different closed account in error, and one was returned in error. He complains that Capquest continued to chase him despite the arrangement, and that they didn't contact him about the returned payment.

Capquest have not responded to the complaint. They no longer service the account now.

Our investigator looked into things independently and upheld the complaint, as Capquest did not provide anything to defend themselves. Capquest didn't reply, 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.

I've had to base my decision on the limited information I have.

From what I've got, it looks like Mr C agreed a settlement arrangement with the debt's owner before Capquest were instructed to manage the account. And I can see from his statements that Mr C made all these payments on time.

As I understand, the debt owner assigned some of these payments to the wrong account, and returned one. We're looking into what happened there in a separate complaint against the debt owner. In this decision, I'm only considering what Capquest did as the servicer.

Mr C has explained that Capquest continued to chase him despite him keeping up with his arrangement, that they wouldn't help him when he called, and that they didn't tell him when his final payment got returned in error.

Capquest haven't provided anything which shows otherwise, nor anything to defend themselves in general, despite the chasers and extensions we've given them. So the only evidence I have to go on is Mr C's testimony. Mr C's testimony has been consistent and credible, and I've not found any good reason to disbelieve him.

So based on the limited information I've got, I find it's most likely that Capquest did not manage this account properly. They shouldn't have pursued Mr C if he was keeping up with an arrangement, they should've tried to help him when he called, and they should've let him know when his payment got returned in error.

As I understand, they caused Mr C some real upset. So that should be put right.

Putting things right

I direct Capquest Debt Recovery Limited to:

- Make sure things are properly closed on their end so they don't pursue Mr C any further for this debt; and-
- Pay Mr C £100 compensation for the distress and inconvenience they caused.

My final decision

For the reasons I've explained, I uphold Mr C's complaint, and direct Capquest Debt Recovery Limited to put things right in the way I set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 9 November 2022.

Adam Charles
Ombudsman