

## The complaint

Mrs A says that Hitachi Capital (UK) Plc, trading as Hitachi Capital Consumer Finance ("Hitachi") who changed their name to Novuna Personal Finance in 2022, have made inaccurate reports to her credit file.

## What happened

I issued my provisional decision on this complaint in May of this year. An extract from that provisional decision is set out below.

*I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.*

*I don't think this account is currently being reported correctly and I'm inclined to ask Hitachi to remedy that.*

*Where the information I've got is incomplete, unclear, or contradictory, as some of it is here I have to base my decision on the balance of probabilities.*

*I've read and considered the whole file, but I'll concentrate my comments on what I think is relevant. If I don't comment on any specific point it's not because I've failed to take it on board and think about it but because I don't think I need to comment on it in order to reach what I think is the right outcome.*

*In early 2021, following a complaint Mrs A escalated to this Service, Hitachi agreed that they had defaulted Mrs A's finance agreement prematurely. They accepted our investigator's proposal that the default should be removed from Mrs A's credit file, but they explained that the reports they'd made to the file for missed payments, were accurate, and would need to remain.*

*Mrs A supplied us with a copy of her credit report at the time of her initial complaint, it was dated 8 December 2020 and it showed that the balance of her account was £3,804 and that it had been defaulted the previous month when the account was 4 months in arrears.*

*At the time our investigator explained that she believed Mrs A would have paid her account off in full in December 2020 had Hitachi explained how much needed to be paid. So, I think it was clear at that point that the default needed to be removed and there should be no further adverse reports made to Mrs A's credit file as it wasn't her fault the correct payment wasn't made.*

*Having reviewed Mrs A's credit file now I can see that the default has been removed and that the balance is correct. But the account status is showing as 6 months late, and I don't think that was what was agreed. As, the account was four months late when the default was applied and in Mrs A's previous complaint it had been agreed that any failure to pay on time after that was a result of her not being informed of the correct balance.*

*I understand that the loan was sold on 30 November 2018 to a company I'll call "L" and that inaccurate report may have been made by L. But I think it was Hitachi's responsibility to ensure L knew about the outcome of that complaint so that the credit file could be updated, and I think they should now liaise with L to ensure that is done if they cannot amend the credit report themselves.*

*For clarity the credit file should show missed/late payments in July, August, September, and October 2020 only.*

*I think Mrs A has experienced some distress and inconvenience as a result of Hitachi not reporting this matter correctly. I don't think I have sufficient evidence she's been financially disadvantaged directly by this failure, but Mrs A has had to escalate a further complaint to this service when I think she could have expected Hitachi to put things right for her. In the circumstances, I'm expecting to ask Hitachi to pay her £100 in compensation.*

### **My provisional decision**

*For the reasons I've given above I'm expecting to tell Hitachi to amend Mrs A's credit file to ensure it shows 4 missed payments for July, August, September, and October 2018. They should liaise with L to ensure that's possible, and they should pay Mrs A £100 to compensate her for the distress and inconvenience caused.*

### **Additional comments or evidence**

Mrs A accepted my provisional decision and so did Hitachi.

### **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 not been provided with any additional comments or evidence that would lead me to change my provisional decision and it therefore becomes my final decision on this complaint.

### **My final decision**

For the reasons I've given above I uphold this complaint and tell Hitachi Capital (UK) Plc to amend Mrs A's credit file to ensure it shows 4 missed payments for July, August, September, and October 2018. They should liaise with L to ensure that's possible, and they should pay Mrs A £100 to compensate her for the distress and inconvenience caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs A to accept or reject my decision before 4 July 2023.

Phillip McMahon  
**Ombudsman**