

## **The complaint**

Mr H complains that Credit Resource Solutions Ltd (CRS) harassed him for payment of an outstanding debt.

## **What happened**

On 28 February 2023 CRS was instructed to collect a balance of £238.40 by a buy now pay later (BNPL) lender I'll refer to as K. On 1 March 2023 CRS emailed Mr H and asked him to make contact to discuss the outstanding balance with K. Mr H responded on the same day and gave CRS information about his mental health and circumstances. CRS says it emailed Mr H back and asked him for permission to note what he'd told it on its systems. CRS also says a 35 day collections hold was applied.

CRS says it contacted Mr H again on 2 April 2023 asking him to address the outstanding balance. Mr H responded to say he was off work due to his mental health. CRS says it emailed Mr H back on 5 April 2023 again to request consent to record what he'd told it about his health. CRS says it applied another 35 day collections hold. But on 24 April 2023 CRS wrote to Mr H again and asked for an update concerning his circumstances.

On 25 April 2023 Mr H contacted CRS and said he'd paid K the outstanding balance as he'd felt bullied and pressured by CRS. Mr H went on to raise a complaint.

CRS issued two final responses. CRS initially offered to refund the payment Mr H had made to K. But in a follow up final response, CRS said the offer had been made in error.

An investigator at this service upheld Mr H's complaint. They said CRS had been made aware that Mr H was vulnerable and experiencing mental health difficulties. The investigator also said that despite agreeing to put collections on hold for 35 days on two occasions, it had continued to contact Mr H about the outstanding balance. The investigator also pointed out Mr H had been incorrectly advised CRS would arrange for his payment to be refunded when responding to his complaint. A payment of £150 for the distress and inconvenience caused was recommended but CRS asked to appeal. As a result, Mr 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.

I'm aware I've summarised the events surrounding this complaint in less detail than the parties involved. No discourtesy is intended by my approach which reflects the informal nature of this service. I want to assure all parties I've read and considered everything on file. I'm satisfied I don't need to comment on every point raised to fairly reach my decision. And if I don't comment on something, it's not because I haven't considered it. It's because I've focused on what I think are the key issues. My approach is in line with the rules we operate under.

I've looked at the level and nature of contact CRS had with Mr H. I agree with the investigator that CRS failed to treat Mr H fairly. On his first contact with CRS, Mr H gave it very personal information about his health and circumstances. I understand CRS asked for consent to record that information on its systems. But I also note CRS says it agreed to place a 35 day collections hold on Mr H's account.

Despite the collections hold, CRS contacted Mr H within that 35 day period. A further collections hold was agreed on 5 April 2021 but CRS continued to communicate with Mr H and asked him for updates about his circumstances and the outstanding balance. I'm not persuaded the level or nature of contact from CRS was reasonable.

I also think it's fair to say that when CRS initially responded to Mr H's complaint it said a refund of the payment he made to K could be arranged. But that offer was later withdrawn and Mr H was advised a mistake had been made and that he could contact K directly. Mr H has told us this caused him further upset and I think it's fair to award some compensation for the distress and inconvenience caused.

The investigator asked CRS to pay £150 to Mr H to resolve his complaint. I've carefully considered all the available information and I'm satisfied that £150 reasonably reflects the level of distress and inconvenience caused to Mr H and is a fair way to resolve his complaint. So I'm going to proceed on that basis and uphold Mr H's complaint.

### **My final decision**

My decision is that I uphold Mr H's complaint and direct Credit Resource Solutions Ltd pay him £150.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 9 January 2024.

Marco Manente  
**Ombudsman**