

## The complaint

Mr L is unhappy TransUnion International UK Limited (TU) failed to remove a County Court Judgment (CCJ) when they were instructed to do so.

## What happened

I issued my provisional findings to both parties on 20 November 2023 setting out why I thought Mr L's complaint should be upheld and invited both parties to provide any further submissions in reply to my provisional decision by 4 December 2023.

The background to this complaint was set out in my provisional decision together with my provisional findings. The background and my provisional findings are copied below and now form part of this final decision.

### Background

*A CCJ was registered against Mr L in October 2022. However, the court later agreed for the CCJ to be removed.*

*On 10 February 2023 the service operating the statutory register recording CCJs ('the registry service') sent electronic requests to the three main Credit Reference Agencies (CRA) - including TU - to remove the CCJ from Mr L's file. The other two CRAs removed the CCJ from their credit reports for Mr L.*

*On 14 February 2023 Mr L raised a dispute with TU because the CCJ had not been removed.*

*On 13 March 2023 TU sent Mr L two emails from two different email addresses. One email explained it had not been possible to process the dispute and suggested it may be because the credit file had been amended, so it said Mr L should check his report. The other email told Mr L he would need to send the official certification from the court that issued the judgment to confirm the status of the CCJ.*

*Mr L responded on the same day to say the registry service had informed him that all the CRAs had been told to remove the CCJ and there was no need for him to provide the evidence TU were asking for because TU could check their database. TU raised the dispute again for Mr L saying that the relevant team would, if needed, contact the court directly for evidence.*

*On 13 April 2023 Mr L contacted the registry service to explain the CCJ was still appearing on his TU credit file and that he was struggling with getting TU to remove it. The registry service sent another message to TU to confirm it should be removed.*

*The registry service said that on 14 April 2023 at 07.52 TU sent them a query asking to confirm if Mr L's judgment should be removed. The registry service said they replied at 09.08 to say, 'The above judgment has been set aside and no longer held on the public Register, please remove'. (sic).*

*The registry service said TU replied at 09.35 to say 'This CCJ have been remove from the credit report'. (sic).*

*That said, on 23 April 2023 TU emailed Mr L. They said that to amend his credit report Mr L needed to provide the official certification from the court confirming the status of the CCJ.*

*Mr L replied the following day to again say that the certificate was not required as per what the registry service had told him. Mr L also confirmed that the registry service had now requested removal of the CCJ on two occasions – 10 February 2023 and 13 April 2023 – and asked that TU refer to their databases to action this. Mr L also provided a screenshot of him searching the register to show the CCJ did not exist.*

*On 27 May 2023 TU emailed Mr L and told him that before they could amend the CCJ they needed him to send a certificate from the court to confirm if the CCJ was satisfied or cancelled.*

*Mr L brought his complaint to our service and showed that on his credit file as of 27 July 2023 the CCJ was still appearing on his report.*

*Our Investigator upheld Mr L's complaint. They said TU needed to remove the CCJ and pay Mr L £100 for the inconvenience the matter had caused him.*

*TU accepted this, but did not provide any further submissions or indicate whether they would action removal of the CCJ straight away or confirm whether it had already been removed.*

*Mr L also replied to the Investigator's view, but he did not accept it. Mr L was looking for clarity as to the date from when his CCJ would be removed from. He also thought the £100 was not enough to reflect the trouble caused.*

*As our Investigator was unable to reach a resolution, the complaint has come to me to decide.*

### Provisional findings

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

*As TU did not provide any further submissions to consider in reply to the Investigator's findings I think it's fair to conclude they have accepted that Mr L's CCJ should be removed. So I think what's left for me to consider here is whether the compensation amount is fair in the circumstances of this case and to clarify to Mr L the instruction regarding removal of the CCJ.*

*Having reviewed the case, I am minded to increase the level of compensation from that awarded by the Investigator. I'll explain why.*

*The registry service confirmed to Mr L that on 10 February 2023 they contacted TU at the same time as the other CRAs to notify them Mr L's CCJ should be removed from his file. The registry service said this was picked up by TU on their data file on 11 February 2023. However, Mr L's file wasn't amended.*

*A further instruction from the registry service on 13 April 2023 was also not actioned by TU despite TU apparently acknowledging and confirming to the registry service that the CCJ had been removed. Mr L has shown the CCJ was still appearing on his credit file in July*

2023.

*Mr L raised two disputes with TU to resolve this. He also had to engage with the registry service on several occasions and sent TU a screen shot to show that the CCJ was no longer appearing on the statutory register. And he raised a complaint about the matter.*

*During these events TU has not appeared to engage with Mr L about how to sort out this problem. They repeatedly asked for a certificate (which was not necessary) and it does not appear they gave any consideration to what Mr L had told them about the registry service's communications to him. There is no evidence that TU made any meaningful enquiries to help Mr L sort out this problem.*

*At one point TU also told Mr L to go back and check his report in case it had been updated. I think it's reasonable that this is something they could have checked themselves rather than put Mr L to additional effort given he had already raised the dispute with TU.*

*Furthermore it is odd to me that TU were unable to amend Mr L's credit file when the other two main CRAs had no problem doing so based on the same instruction from the registry service. There has been nothing to suggest TU did not receive the original instruction from the registry service.*

*A CCJ can have a significant impact on an individual's financial standing and Mr L's financial standing is, understandably, important to him. Based on the limited evidence available to me from TU, I am unable to see that TU were making reasonable attempts to help Mr L resolve the issue.*

*Overall, I am minded to say that the level of inconvenience and upset caused to Mr L over several months to amend his credit file was unnecessary and above what should have been required to sort this problem out. I am therefore minded to increase the compensation TU should pay Mr L to £200.*

*I'm aware Mr L told our Investigator that he has been impacted financially by the CCJ. However, as our Investigator explained, it is understood that the other CRAs have been correctly reporting Mr L's information as they removed the CCJ when first instructed to do so. There is also nothing to suggest that Mr L has lost out financially because of the CCJ remaining on his TU credit file.*

*For Mr L's clarification, as the registry service has confirmed the CCJ has been 'set aside' it means the CCJ can be removed from his credit file. That means it won't show on Mr L's report regardless of the date.*

#### Putting things right

*If TransUnion International UK Limited (TU) has not already done so they should update Mr L's credit file to remove the CCJ.*

*TransUnion International UK Limited (TU) should pay Mr L £200 to recognise the inconvenience and upset this matter has caused him.*

#### Responses to my provisional decision

*TU replied to my provisional decision to say they had nothing further to add.*

Mr L also replied to my provisional decision. Mr L agreed with the provisional findings and asked that the CCJ be removed from the date it was originally requested to be removed in February.

### **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.

As neither TU nor Mr L have provided me with any new evidence or submissions to consider I see no reason to depart from the conclusions I set out in my provisional findings. That is, for the reasons above, I think TU should pay Mr L £200 to reflect the unnecessary inconvenience and additional stress this matter caused Mr L to arrange removal of the CCJ from his credit file. And as I already noted in my provisional decision, as confirmed by the registry service, the CCJ has been set aside so it will be removed from Mr L's credit file and no longer show.

### **Putting things right**

If they have not already done so, TransUnion International UK Limited should remove the CCJ in question from Mr L's credit file.

TransUnion International UK Limited should pay Mr L £200.

### **My final decision**

For the reasons above I uphold Mr L's complaint and TransUnion International UK Limited should put things right as I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 5 January 2024.

Kristina Mathews  
**Ombudsman**