

The complaint

Mr W complains that Capital One (Europe) plc has refused to remove an account from his credit report. He says it isn't his account.

What happened

Mr W is unhappy that Capital One is reporting an account on his credit report which he says he didn't open. He complained to Capital One and asked them to remove the account from his credit file.

Capital One didn't uphold the complaint. It said that Mr W held two accounts with them, an Ocean Card opened on 24 March 2017 and a Think Money Card opened on 14 October 2018. It said that both accounts were correctly reported on the credit file. Capital One said that the Think Money card had a zero balance and the Ocean Card defaulted on 28 March 2019 and the default had been correctly registered.

Mr W remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. She said that Capital One had been able to evidence two accounts being opened by Mr W and there was no evidence to suggest that Mr W had been treated unfairly.

Mr W didn't agree. He said he didn't understand why a credit card company would give him two cards.

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 reviewed the credit agreements provided by Capital One. The first agreement relates to an Ocean card which was taken out in March 2017. The second agreement relates to a Think Money card which was taken out in October 2018.

The credit agreements were signed electronically. These have been provided to Mr W by this service for his reference. Although there's no wet signature on either of the agreements, it's established at law that a lender can provide a copy of an electronically signed agreement as evidence of the agreement.

Mr W's main argument here is that he didn't open the second account. I've reviewed the credit agreements for both accounts, and I can see that the same name and address was provided on each. Mr W hasn't said that the address is wrong for the first card, so I think it's likely that this is (or was) his address and that the second credit agreement was taken out by him.

I've reviewed the second account and I can see that the card was never used, and the account remains open with a zero balance. Mr W can request to have the account closed if he wishes.

For the sake of completeness, I've reviewed the first account. The Ocean Finance card was taken out in 2017 and defaulted in 2019. It is showing as active on Mr W's credit report because it was sold to a third party with an outstanding balance.

I appreciate that Mr W has said that he doesn't understand why a credit card company would give him two cards. This isn't unusual. This service deals with many complaints where a customer has more than one credit card account with the same provider.

Having reviewed everything, I'm satisfied that Capital One has provided evidence which shows that two accounts were opened by Mr W. I haven't seen any evidence to suggest – nor has Mr W asserted – that the second account was opened fraudulently. Taking everything into consideration, I'm unable to say that Capital One has made an error by reporting the accounts on Mr W's credit report. I won't be asking it to do anything further.

My final decision

My final decision is that I don't uphold the complaint.

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

Emma Davy
Ombudsman