

## **The complaint**

Mr B complains about the way that Resolveall Limited tried to collect a debt in his name.

## **What happened**

In early 2024, Resolveall was instructed by a third party business I will refer to as C, to try and collect an outstanding debt in Mr B's name.

Mr B was concerned to hear from Resolveall as his direct debit payments in favour of C had stopped around June 2023, so he assumed the debt had been repaid. Mr B emailed Resolveall on 18 January 2024 asking for an explanation of why it had asked him to repay a debt that he'd heard nothing about for six months.

Mr B says that on 16 February 2024, he received a generic email from Resolveall offering a discount on the debt. Mr B contacted Resolveall to say he'd not had a response to his earlier emails. Then Mr B found a note through his door from Resolveall asking him to make contact. This prompted Mr B to send a letter by recorded delivery asking it to respond to the queries he had previously raised.

Mr B says he received a slightly garbled email from Resolveall stating that it had received his earlier emails but telling him that it would need to identify him before discussing the account. The next day, Mr B received another email confirming that Resolveall had received his letter and that although it still needed to verify his identity, it had placed his account on hold while it put some questions to C.

Mr B says he found the whole situation very distressing and felt that Resolveall bullied him. He said Resolveall had clearly received his emails before sending a field agent to visit his house. Mr B points out that on one hand, Resolveall wanted to identify him for data protection purposes but on the other it also disclosed information about payment details. Mr B says that he had a good payment history with C over many years, so there was no need to involve a debt collection agency such as Resolveall.

Resolveall apologised for the delays and failing to provide a more informed response. It offered Mr B £150 compensation and said that it would continue to follow up with its client.

Our investigator agreed that the level of service Mr B receive from Resolveall fell short of what he could have reasonably expected. But our investigator thought Resolveall's offer to pay £150 compensation was fair. The evidence Resolveall supplied indicated that it had responded to Mr B's emails in January and February 2024.

Our investigator said that if Mr B were unhappy with the way that C had dealt with his account, he could raise a separate complaint before coming back to our service if still unhappy.

Mr B disagrees with the investigation outcome. He says that aside from the time he has spent trying to resolve things, he is concerned about sharing personal details with Resolveall. Mr B as does not believe that it ever responded to his emails, as if Resolveall

had read them, it would have seen he was asking for further information before giving his personal details. So, Mr B has doubts about Resolveall's integrity.

Mr B points out that it was not his job to find out who Resolveall was and thinks his questions were reasonable. Mr B says that there have been several data protection breaches and doesn't think Resolveall will keep his personal information secure.

Mr B says that it is untrue for Resolveall to say that it has spoken to C and points out that nobody has explained to him why C has not contacted him directly. Overall, Mr B thinks something is not quite right and wants his complaint to be considered further.

### **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.

Although I may not comment on each and every point that Mr B has raised, this does not mean that I have not read and considered everything he's provided. Instead, I have focussed on what I consider to be the key points. This is not intended as a discourtesy – it simply reflects the informal nature of the Financial Ombudsman Service.

As our investigator has explained to Mr B, the Financial Ombudsman Service offers an informal and impartial dispute resolution service. We don't regulate or discipline the businesses that we cover – that role falls to the regulators - the Financial Conduct Authority or Information Commissioner's Office.

I also note that some of Mr B's concerns about Resolveall's ability to keep his personal information secure, relate to something that may or may not happen in the future. If a problem occurs down the line, Mr B can complain again. But for now, I am focussing on what has already happened and how this has impacted Mr B, to help me decide whether Resolveall has done or offered enough to put things right for him. I appreciate it may disappoint Mr B, but I am satisfied that Resolveall responded fairly to his complaint by apologising and offering to pay £150 compensation.

Resolveall has supplied copies of two letters that it sent on 12 January 2024 – one on behalf of C, giving Mr B details of the outstanding balance on his account and another on Resolveall's letterhead asking him to make contact. Although Mr B had concerns about the contact he received, I don't think it was unreasonable of Resolveall to write to him once C had instructed it to act.

I can see that when Mr B emailed Resolveall after receiving the letters, he wanted an explanation of why there had been no contact for months after his direct debit payments had stopped. Instead of addressing these concerns, Resolveall was concerned to verify Mr B's identity before assisting him. So, it sent him emails asking for further personal details.

I can see Mr B doesn't think Resolveall sent the emails that it claims, but the account notes that it has supplied to us record the sending of the emails. There is every chance they ended up in Mr B's spam folder, but I don't think this means that Resolveall didn't send them. And I find it unlikely that Resolveall fabricated the entries in its account notes to make it appear that it did something when it did not.

I agree that it was unfortunate that Resolveall didn't address Mr B's concerns about the debt before sending a field agent to his house. But I am also mindful of the fact that Resolveall had to make sure it was speaking with the right person. Although Mr B felt bullied by Resolveall, I don't consider the nature of its contact was intimidating or

unprofessional in a way that would merit an additional award of compensation. This is not intended to detract from the upset felt by Mr B as the contact came unexpectedly after months of thinking the debt had been settled. It's just that I don't think the surprise at being asked to repay the debt was down to something that Resolveall did wrong.

I can see that when Resolveall contacted Mr B in early March 2024, it confirmed that it had placed the account on hold while it went back to C. Hopefully, this alleviated some of the worry that Mr B had at the time.

For the stress and inconvenience caused to Mr B by some of Resolveall's failures, I find £150 is fair compensation. It's within the range of an award we might make where the mistake has taken a reasonable amount of time to resolve and has caused some upset and distress. Our approach to awards like this is on our website.

Finally, as our investigator has already told Mr B, I have only considered his complaint as it relates to Resolveall. If Mr B remains unhappy with the way C dealt with his debt, he can raise a separate complaint with C before potentially asking us to consider things further (if the rules allow us to) and he chooses to do so.

### **My final decision**

Resolveall has already made an offer which I think is fair. So, if it has not already done so, Resolveall Limited should pay Mr B £150.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 23 October 2024.

Gemma Bowen  
**Ombudsman**