

## **The complaint**

Mr L is unhappy that Equifax Limited is reporting information on his credit file, relating to an account he says isn't his.

## **What happened**

Around February 2024 Mr L contacted Equifax to say a company I'll refer to as T, were recording missed payments on his credit file, for an account he didn't recognise. He explained he'd previously contacted T, but as the information remained, he'd like Equifax to remove this.

Equifax raised a dispute with T, who responded to say the details were correct and asked Mr L to contact it directly. Equifax shared this information with Mr L and explained it was unable to amend any data without T's consent.

In January 2025 Mr L contacted Equifax again, reiterating his concern the account with T wasn't his. Equifax raised the dispute with T for a second time, but once again it didn't give its permission for the information to be removed.

As a result, Mr L complained to Equifax, saying he was currently in dispute with T over the account, so Equifax should remove it from his credit file. In addition he said Equifax hadn't tried to resolve the issue or investigate matters as it should have. As well as raising concerns about the way in which it processed his personal data.

Equifax reviewed matters, but said as T hadn't provided its consent, it was unable to change the information. So Mr L brought the matter to this Service.

An Investigator here reviewed matters, but didn't think Equifax had acted unfairly. They said it had raised two separate disputes with T about the information being reported, but as it didn't give consent for Equifax to remove the data, there was nothing further it could do. They also explained that while both T and another company, I'll refer to as W, who were now collecting the debt were reporting the account, information on Mr L's credit file makes it clear these relate to the same account. And, it was the role of the Information Commissioner's Office (ICO) to consider his concerns about the way in which Equifax processed his personal data.

Mr L didn't agree, in summary he said:

- Equifax's responsibility extended further than to pass on information. He considered it had a duty to ensure the data was accurate and do more than simply ask T whether it was.
- He'd provided evidence showing the unauthorised account with T, and didn't consider we'd taken this into account or that he'd raised his concerns with both T and W, along with other CRA's.

Overall Mr L explained this was having a significant impact on both him and his wife and didn't consider Equifax had acted fairly as a result.

As no agreement has been reached, the complaint has been passed to me to decide.

I've noted Mr L has raised concerns over the reporting by W of the account with T – and that the default is showing twice. But, this isn't a complaint he's made to Equifax, and under the rules, it must be given a chance to address this first. So, Mr L will need to raise a new complaint to Equifax if he'd like this matter considered. I won't comment on it 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.

I understand Mr L considers his overall complaint should take into account the actions of several organisations including T, W and other CRA's, in addition to Equifax. However I should explain here, within this decision I can only consider the actions of Equifax, not those of the other organisations Mr L has complained about. As such, this decision will only focus on the actions of Equifax and whether they acted fairly, or not.

I want to start by saying, information and data Equifax report on isn't owned by Equifax. The data is owned by various third-party organisations and businesses, such as T, who have a responsibility to report details of the accounts it holds, to CRA's. This is done by sending large quantities of data to the CRA's to be assigned to the relevant consumer's credit file. CRA's use personal information such as a consumer's name, address or date of birth to connect details it is sent, to the relevant credit file.

That's the case here, T sent Equifax details of an account in Mr L's name – the details of the account sufficiently matched those of Mr L, so it was recorded against him. This seems reasonable and I can't say Equifax acted unfairly as a result.

As Equifax don't own the data it reports on, it generally isn't able to amend or remove any information without the consent of the data owner. So, when a dispute is raised about the validity of data, Equifax aren't responsible for the data its provided, but should raise a dispute with the data owner about this.

I can see it did that here. Each time Mr L raised concerns about the account T was reporting on his credit file, it raised disputes. On both occasions Equifax acted quickly and notified T a dispute had been raised, but on both occasions, T responded to say it didn't provide consent for the information to be removed and asked Mr L to contact it directly. I can see Equifax shared these responses with Mr L promptly and because T hadn't provided consent, there was nothing further it could realistically do – so I can't agree it's acted unfairly.

Mr L says Equifax should investigate the validity of data before reporting on it – but that isn't something it's required to do, to the extent Mr L wanted it to. As explained above as long as sufficient personal information matches the account T is reporting on, as was the case here, I wouldn't expect it to carry out a more detailed review. That's because Equifax wouldn't have access to the information necessary to carry out a review such as this, so I can't agree Equifax has acted unfairly in not doing so.

I should also say, Mr L provided correspondence from T to this Service, as well as to Equifax which said it had carried out an investigation and had been unable to find evidence the account had been taken out fraudulently. So this, along with the response from T to the dispute, means Equifax didn't act unfairly in not removing the data – even though Mr L continued to dispute it.

Overall, I am sorry to hear about the impact this has had on Mr L and his wife – I can

appreciate it will be particularly distressing. However, for me to be able to uphold this complaint, I'd need to see Equifax had made an error, which isn't the case here. It raised disputes with T about the data Mr L disputed, but as it didn't receive the consent to remove this, there wasn't anything further it could reasonably do. As such, I can't agree Equifax has acted unfairly, so I won't be asking it to do anything here.

### **My final decision**

For the reasons I've set out above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 17 July 2025.

Victoria Cheyne  
**Ombudsman**