

## **The complaint**

Mr S complains that BMW Financial Services (GB) Limited (“BFS”) has incorrectly recorded a missed payment for December 2023 on his credit file. He also says it charged him more than it should have on a previous credit agreement that has now ended. Mr S also says when he raised his complaint, it treated him poorly and has been biased and discriminatory towards him.

## **What happened**

I issued a provisional decision on 10 April 2025 setting out a detailed background to this complaint, so I won’t repeat that here. My provisional decision forms part of this final decision and should be read alongside it.

In my provisional decision, I set out my reasons for reaching different conclusions to the investigator and gave both parties an opportunity to provide further comments and evidence before I make a final decision.

Both parties have responded saying they accept my provisional decision. BFS accepted the provisional decision without further comments. Mr S had further comments and wanted me to consider an increase in the amount of compensation he should receive. Mr S refers to a previous ombudsman’s decision that provided more compensation.

In summary, Mr S said, BFS should pay more compensation because:

- He’s suffered financial and reputational harm due to the adverse information BFS recorded on his credit file.
- He suffered significant emotional and practical stress.
- BFS did not handle his complaint within FCA expectations.

Mr S confirms he has withdrawn his complaint about excess charges and the discrimination element he initially raised, so I won’t consider either of those points further.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.

Having reconsidered all the information and carefully considered Mr S’ comments, I won’t be departing from my provisional findings, and I’ll explain why below.

As I explained in my provisional decision, each case is looked at on its own merits and while I thank Mr S for sending the other decision, my role is to consider what I think is fair and reasonable in all the circumstances of *this* complaint.

When I issued my provisional decision, I fully considered the distress BFS caused Mr S by providing him incorrect information. Mr S has said he has suffered reputational and financial harm. While I acknowledge that the presence of adverse information has an impact on a consumer's financial health, I haven't seen any evidence that this specific entry caused Mr S harm beyond what is usual in the circumstances. Mr S hasn't provided evidence to show he was declined credit elsewhere solely because of this entry or that there was some other reputational harm he suffered directly because of this entry.

In relation to BFS not engaging with his complaint in line with FCA obligations, this isn't something I can punish BFS for, the industry regulator, the FCA is the body that concerns itself with how businesses follow its complaint handling guidelines, so it won't be appropriate for me to step into the role of the regulator here.

The evidence shows Mr S suffered a level of distress due to the loss expectations and the steps he's had to take to rectify BFS' error. So, having considered it alongside the facts of the case, I thought and still think £100 compensation is sufficient here.

I understand Mr S perspective and his strength of feeling but having considered his points and all the information here, I'm not minded to increase the compensation award as I think £100 is fair and reasonable in this case.

Overall, I think BFS has made an error, and it needs to put things right.

### **Putting things right**

To put things right, BFS should remove the late payment marker from December 2023 from Mr S' credit file and pay him £100 in compensation for the distress and inconvenience its error caused Mr S.

### **My final decision**

For the reasons given above and in my provisional decision, I uphold Mr S' complaint and direct BMW Financial Service (GB) Limited to put things right as set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 28 May 2025.

Oyetola Oduola  
**Ombudsman**