

The complaint

Mrs B complains Lowell Portfolio I Ltd are asking her to repay debts which aren't hers. She's also unhappy with the frequency of the contact from Lowell.

What happened

In December 2023 Mrs B says she first received a letter addressed to a person with the same surname as her, but a different first name. She says she had lots of problems with Lowell, there are now multiple accounts with them they're asking her to repay, and they've never accepted the accounts aren't hers.

Lowell carried out an investigation, and ultimately found Mrs B was liable for the accounts – saying they'd completed an address trace using the credit reference agencies (CRAs). They also didn't find any problems with their communication. So, overall, they didn't uphold the complaint.

Unhappy with this Mrs B asked us to look into things. One of our Investigators did so, and he asked Lowell to consider the information Mrs B provided to dispute the debt was hers.

Despite multiple contacts, they never replied, so the complaint's been passed to me to decide.

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.

It's not uncommon for customers to forget to update their address with their existing credit providers. And, when debt purchasers such as Lowell attempt to make contact at the address(es) they're given by the previous owner, but aren't successful, for them to trace the consumer. Typically this is using information provided by CRAs.

Lowell say when reviewing Mrs B's credit file, it's connected with the address for the disputed accounts. Lowell say this means the issue doesn't arise from an error or mistrace on their part.

But I don't agree with this.

When a debt purchaser such as Lowell is solely relying on a trace with the CRAs, I think this creates a larger opportunity for them to contact the wrong party. It's known that incorrect addresses are sometimes linked to customers. Relying purely on an address link with the CRA is typically fine – but Lowell should be open to the possibility it's wrong – because it's known to happen from time to time.

In Mrs B's case she's said this was identity theft and fraud. I don't think that's what's happened, as these accounts were run for a long time. And this seems to be part of Lowell's reasoning as well – in that the accounts don't follow a typical fraudulent pattern. But I think

Lowell needed to consider matters more carefully in Mrs B's case. It's not for Mrs B to 'frame' her concerns in the right way in order for Lowell to get to the bottom of things. Really all Mrs B was saying is the accounts weren't hers – that doesn't mean they were taken out fraudulently.

The evidence supporting these accounts aren't hers are:

- At least some of the accounts are in an entirely different first name to hers
- Mrs B says she doesn't have an online presence – including email – which the accounts do have
- The phone number Mrs B has provided doesn't match the account details – nor has she ever confirmed an email address or phone number which matches any of the accounts Lowell are asking Mrs B to repay
- Mrs B has provided evidence from her city council she's been registered at her address since 2005 – and her bank said they had her recorded at the same address since 1990
- Some of the accounts were catalogue shopping accounts – and statements show parcels were delivered to the 'other' address on a regular basis from 2011 onwards

If I pull all of this together, what it suggests to me is that 'someone' took out these accounts in their own name. And, for whatever reason, have since stopped paying them.

Crucially though, none of this evidence suggests Mrs B is that person. Pulling it all together, for me the key point is Mrs B has lived at her address for many years – whereas the account conduct for the debts in question do strongly imply someone who has moved within the last few years and didn't update their credit providers.

I note our Investigator put these discrepancies to Lowell first on 18 February 2025 asking for their comment. When they didn't reply he then chased them. Following no reply to that chaser, he then issued his outcome on the case. This also didn't get a reply – so he passed the case forward for an Ombudsman to consider – telling Lowell this. This contact also didn't get a reply.

In the circumstances, I'm satisfied Lowell have had sufficient time to provide evidence to support their position if they wanted to – and they haven't.

So, given the above evidence I do have, I'm satisfied these debts aren't Mrs B's – and Lowell need to stop contacting her about them. In February 2025 Lowell have said they've not reported anything to Mrs B's credit file about these accounts – but just in case, I'll make it a requirement for them to remove anything they may have reported – as it's been a few months now and we've not heard anything from them.

I also do agree with Mrs B about the distress she's been caused. It's clear from Lowell's responses they've not properly considered what might have happened here – instead simply relying on the trace from the CRA to say they've done nothing wrong. What they really needed to do was critically assess the information from Mrs B to ensure they were properly contacting the right person – and I'm not satisfied they did that as, if they did, then they would likely have come to the same conclusion as our service has. With that in mind, I'm satisfied an award of £350 is a fair reflection of the distress caused to Mrs B.

Putting things right

Lowell need to:

- Cease contacting Mrs B about these debts
- Contact the CRAs to remove any reporting they may have done
- Pay Mrs B £350 compensation

My final decision

I uphold this complaint and require Lowell Portfolio I Ltd to carry out the actions in the 'Putting things right' section above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 4 September 2025.

Jon Pearce
Ombudsman