

The complaint

Ms M complains that Topaz Finance Limited trading as Heliodor Mortgages is incorrectly recording missed payments on her credit file.

What happened

Ms M has a mortgage with Heliodor. In May 2024, Ms M said that Heliodor recorded on her credit file that she had missed a payment to her mortgage. She said that could not be correct as she made two payments in December 2023 and was “ahead” at that point – and there were no missed payments following that.

Ms M said the information recorded by Heliodor on her credit file has led to other lenders reducing her credit limits and she is unable to move to better interest rates. She added that Heliodor will not offer her a mortgage to consolidate her debts.

The investigator did not consider that the complaint should be upheld.

Ms M did not accept what the investigator said. She responded to make a number of points, including:

- The transaction history will not provide a clear picture of the account.
- In November 2022, Heliodor admitted she had overpaid and refunded money to her. She did not understand why it did that only to record arrears in April 2023. It is due to its mistakes that she has never been clear about the mortgage balance.
- Heliodor amended her credit file in November 2022. That demonstrates it has managed her account poorly. All of her previous complaints are linked and provide context for the recent issues.
- Heliodor did not write to her that her mortgage was in arrears between November 2023 and May 2024, when it marked her account as being in arrears. The statement showed she was in front with payments as she paid double in one month. If she was in arrears then it ought to have chased her for payments.
- The conduct of Heliodor should be investigated further. It has posted funds to suspense accounts and its customer service is terrible and leaves her confused.
- We had not looked at where she had made payments but Heliodor failed to apply them.

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.

Jurisdiction

Ms S has raised complaints to Heliodor before. They sent her final responses to those complaints on 10 November 2022 and 20 April 2023. Ms M referred her complaint to us on 15 December 2024. That is more than six months after the date of those final responses. Under our rules, those complaints have been referred outside our time limits.

Heliodor has not consented to us considering those complaints. And I am satisfied there were no exceptional circumstances that prevented Ms M complying with our time limits. Therefore I do not have the power to consider any of the complaints that were dealt with in those final responses.

I can consider Ms M's complaint about the information recorded on her credit file in May 2024 that was dealt with in the final response from Heliodor dated 10 December 2024. That was referred to us in time.

Credit file

Heliodor is required to record true and accurate information on Ms M's credit file about how she has conducted her mortgage. It said that Ms M missed the payment that was due in February 2024. But at that point the level of arrears did not exceed the contractual monthly payment due, no arrears were recorded. But in May 2024, no payment was received. At that point it recorded the mortgage as being in arrears as the amount overdue was equal to or more than one monthly payment.

I have not seen any evidence to support that Ms M made a payment to her mortgage in February or May 2024. And looking at the information available to me about the history of the account, I cannot see that Ms M was sufficiently ahead with her payments at any point to absorb the missed payments. I accept that Ms M paid twice the amount that was due in December 2023. At best that created a credit of £120 – but that was used up by the missed payment in February 2024. I consider that it was accurate for Heliodor to record that the mortgage was in arrears in May 2024 until September 2024, when it was brought up to date.

It is in line with good practice for a lender only to record arrears on a credit file when the arrears are equal to or greater than one monthly payment. I can't see that Heliodor has recorded incorrect or unfair information on Ms M's credit file. Therefore I do not consider it has treated her unfairly by recording the information it has on her credit file.

There was no regulatory obligation for Heliodor to write to Ms M when she fell behind with her payments in February 2024.

Heliodor is a closed book lender, so it does not offer new borrowing. So I can't say it was unfair for it not to offer Ms M additional borrowing.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms M to accept or reject my decision before 24 September 2025.

Ken Rose
Ombudsman