

## **The complaint**

Mr T complains that Equifax Limited prematurely closed down a dispute he had raised before it was resolved.

## **What happened**

Mr T noticed a hard search on his credit file from a business I'll call V. He didn't think it should be there as he hadn't authorised any searches and so he raised a dispute with Equifax.

Equifax set up a dispute on their system and passed it to V. V responded saying the search had been added correctly and couldn't be removed. Equifax passed this information to Mr T. He didn't agree and so Equifax raised a second dispute with V. V again responded to Equifax saying the search was correct and shouldn't be removed. As Mr T still didn't agree Equifax asked V to provide a deadlock letter to Mr T and closed their dispute.

Mr T complained to Equifax about this as he didn't think they should close the dispute when it hadn't been resolved, and V's complaints team were looking into it.

Equifax didn't uphold Mr T's complaint, they said that the dispute was closed because they had received an answer from V that the search couldn't be removed and so the dispute they raised had been resolved. If V sent through any new response, it would be passed to Mr T and Equifax were now waiting to see if V updated Mr T's credit file not the dispute.

Mr T remained unhappy and so referred his complaint to our service. Our investigator didn't uphold Mr T's complaint. In summary they said:

V is the data controller and Equifax can't make any changes without V's permission. In these types of circumstances, we would expect Equifax to raise a dispute with the business who has recorded the search, as they did. And once a response had been received, it was fair for them to close the dispute down, as they had.

Mr T disagreed and so the matter has 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.

I realise that I've summarised this complaint in less detail than the parties and I've done so using my own words. I've concentrated on what I consider to be the key issues. The rules that govern this service allow me to do so. This isn't intended as a discourtesy to either party, but merely to reflect my informal role in deciding what a fair and reasonable outcome is.

I understand Mr T's strength of feeling about this in that as far as he is concerned his dispute about the search hasn't been concluded with V. But I think it may be worth me explaining here that Equifax closing the dispute down doesn't affect his ongoing dispute with V.

It is accepted by all parties that Equifax can't make any changes to the reporting without V's permission. So, I'm not going to go back over that. But what I want to explain is the dispute process between Equifax and V, or any other business, and what Equifax's responsibilities are in these situations.

When Mr T raised a dispute about the search, Equifax had an obligation to make V aware, it's accepted they did this. Their next obligation was to act on the response they received from V. As soon as they did this their obligation was over and they were entitled to close the dispute. That would have been the same regardless of if V said the search could be removed or as they did in Mr T's case, they said it should remain. This is because Equifax aren't a mediator between Mr T and V. Their involvement in the dispute process starts and ends as I've described here and if a person doesn't agree with the business' response, they would normally be directed to contact that business themselves. However, in this case Equifax raised the dispute a second time as Mr T was unhappy, and eventually raised a complaint with V on Mr T's behalf. This is more than I would have expected them to do.

So, it follows, I'm satisfied Equifax did what they needed to and were entitled to close the dispute when they did as they had taken matters as far as they could for Mr T. That is not to say that V couldn't decide to remove the search still. I'm unsure at this point if they have given their final answer to Mr T on this matter, but whatever outcome they reach isn't dependant on Equifax keeping the dispute open on their systems.

I understand Mr T would have liked the dispute to remain open in the meantime so there was some record of it on his credit file. But if he wants something on his credit file to show he is in dispute with V then he can ask for a notice of correction to be added to his file. It follows I won't be asking Equifax to do anything differently here.

I know Mr T will be disappointed with this outcome. But my decision ends what we – in trying to resolve his dispute with Equifax – can do for him.

### **My final decision**

For the reasons set out above my final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 25 July 2025.

Amber Mortimer  
**Ombudsman**