

The complaint

Mr S is unhappy with how Capital One (Europe) plc recorded information on his credit file.

What happened

In 2014 and 2016 Mr S took out credit cards with Capital One.

Unfortunately, Mr S says he got into financial difficulty and suffered severe ill health. He said he spoke to Capital One around 2017 and said he was told if he made small payments towards his credit card account then no negative information at all would be recorded on his credit file.

Various arrangements were then put in place for Mr S to make monthly payments below the minimum amount due on the accounts, over set periods in 2017 and 2019.

Mr S said he only later found out that his credit file had been affected.

He complained to Capital One and it issued a final response to the complaint in November 2024. This said, in summary, that the information it provided to credit reference agencies ('CRA's) about Mr S's accounts was correct. It explained if the minimum payment wasn't made to a card, then it would report this. And it said it was unable to review calls from 2017 due to the time that passed.

Mr S remained unhappy and referred the complaint to our service. He said the situation had ruined his life. And he said he doesn't believe the phone calls that took place can't be located.

An investigator issued a view and didn't uphold the complaint. He said, in summary, that Mr S had entered into repayment plans on his cards. He said Capital One had sent letters explaining how the plans would affect his credit file. And he said he thought Capital One had correctly reported information to CRA's.

Mr S disagreed. He said he'd changed his address in 2017 and let Capital One know this around July or August that year but said this hadn't been updated. So, he said he never received the letters setting out what impact the payment arrangements would have on his credit file.

Our investigator asked Capital One about this. It said Mr S didn't update his address until early 2023.

Our investigator then issued a second view. This said, in summary, that the investigator thought Mr S would've had to give his address as part of answering security questions in order to speak to Capital One about the accounts. So, he said Mr S would've likely been aware of the details it had. But either way, he said Capital One still needed to report correct information to the CRA's.

Mr S responded and reiterated that he told Capital One about the change of address. And he

said he was going through a bereavement at the time that had not been considered.

As Mr S remained unhappy, the complaint 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.

Having done so, I don't think this complaint should be upheld. I'll explain why.

I'd like to explain up front that I'm going to focus my decision on the key points and what I consider to be the crux of the complaint.

It isn't in dispute here that Mr S entered into payment arrangements on the cards and that the minimum contractual amount wasn't made at times. It also isn't in dispute that at these times negative information was reported on Mr S's credit file.

There are two key questions to answer here. Both are in relation to whether it was *reasonable* for Capital One to report negative information at the time. These are - did Capital One tell Mr S that no negative information would be recorded on his credit file when he entered into the plans? And, did Capital One fail to update Mr S's address when it should have?

I know this will be disappointing to Mr S, but ultimately I think the answer to both of these questions is likely no. And, even if I thought the opposite, it's unlikely I'd instruct Capital One to alter the credit file anyway. I'll explain my thoughts.

It's worth setting out that there is a lack of available evidence due to the time that's passed. Capital One hasn't been able to provide any call recordings and Mr S, understandably, hasn't been able to show what was discussed at the time either. I do have copies of the contact notes from Capital One so I've considered these, along with what I think most likely happened.

Mr S says when he set up the payment plans that he was told on the phone that absolutely no negative information would be recorded on his credit file. Plainly, this would have been wrong. I want to reassure Mr S that I've carefully considered everything he's said about this. But I need to consider that this call or calls, if they took place, occurred more than seven years before the complaint was brought to our service.

I need to bear this in mind when considering his testimony, along with the fact there are no notes from the time indicating any conversation about this took place. And I need to consider the general likelihood of Capital One giving out basic incorrect information.

Having carefully weighed this up, I think on balance it's most likely Mr S wasn't told at the time on the phone that entering into a payment arrangement wouldn't affect his credit file.

I've then thought about the change of address. I've reviewed the contact notes from around the time Mr S says he spoke to Capital One about this. I can see a reference to his email address being updated. But I can't see any reference to his physical address having changed.

I've also thought about what our investigator said about Mr S knowing the address Capital One had recorded due to passing him passing security checks. I think this is *possibly* correct, but I don't know what the security process was at the time nor how Mr S completed

it. So, I don't agree this was most likely.

That being said, having carefully considered everything, I haven't seen enough to persuade me Capital One was told about a change of address that it didn't action.

I think it's worth explaining that even if I agreed with Mr S, I would then need to consider what would've likely happened if things went as they should.

If Mr S was told negative information would be recorded, and/or if he did receive the letters, I haven't seen enough to persuade me Mr S would have, or could have, acted differently considering his situation at the time. So, under the specific circumstances of this complaint, I think it's most likely the information would've been recorded on the credit file anyway, and so I likely wouldn't instruct Capital One to remove it in this case either way.

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 Mr S to accept or reject my decision before 17 July 2025.

John Bower
Ombudsman