

The complaint

Mr J complains that Capital One (Europe) plc registered a default on his credit file.

What happened

In November 2016 Mr J took out a credit card with Capital One. By 2019 he had fallen behind with payments. In November 2021 the account was defaulted.

In March 2025 Mr J asked Capital One to remove the default but it refused.

Mr J raised a complaint with Capital One. In its final response, Capital One said it wasn't able to remove the default because it was required by law to report accurate information to the credit reference agencies.

Mr J remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. He said he was satisfied that the account had been correctly defaulted in 2021. He also said that Capital One was obliged to report accurate information to the credit reference agencies.

Mr J didn't agree so I've been asked to review the complaint.

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 know it will disappoint Mr J but I agree with the investigators opinion. I'll explain why.

I've read and considered the whole file, but I'll concentrate my comments on those points which are most relevant to my complaint. If I don't comment on a specific point, it's not because I've failed to take it on board and think about it, but because I don't think I need to comment on it in order to reach what I think is the right outcome.

I've reviewed the account history to see whether Capital One acted correctly in registering the default. I can see that throughout 2020 Mr J missed payments and the account fell into arrears. In July 2021 breathing space was applied to the account and Capital One warned Mr J that the account could still be defaulted unless the arrears were paid. In September 2021 Capital One issued a Notice of Sums in Arrears and in November 2021 Capital One issued a Default Notice.

The Information Commissioners Office guidelines state that providers of credit can default an account where there are at least three months of arrears. I'm satisfied that Mr J's account met the criteria in November 2021 and that the account was correctly defaulted.

Based on what I've seen, I haven't seen anything to suggest that Capital One made an error or treated Mr J unfairly when it registered a default in November 2021.

Mr J has said that the default was for a small amount and that its impact has been disproportionate. I understand the point that Mr J makes but I can't require Capital One to remove the default as a gesture of goodwill. This is because Capital One – like all providers of credit – is under an obligation to report accurate information to the credit reference agencies. I can only ask Capital One to amend Mr J's credit file if there has been an error. In this case, I haven't found any evidence of an error.

For the reason I've explained above, I'm unable to uphold the complaint. I won't be asking Capital One to do anything further.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J to accept or reject my decision before 21 August 2025.

Emma Davy
Ombudsman