

complaint

Miss K has complained that Drydens Limited pursued her for a debt that had already been cleared.

background

Miss K was pursued by Drydens for a debt. It had been instructed to do so by a third party. But she no longer owed any money, as the debt had been discharged as part of an IVA she'd entered into. She also feels that she was treated poorly.

Our adjudicator didn't recommend that the complaint should be upheld. This was partly because the third party, for whom Drydens had been acting, had already compensated Miss K. It was also because she didn't think Drydens had treated Miss K badly.

As Miss K disagreed, her complaint's been passed to me for my final decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

As regards the mistake about the debt being owed, the third party has already made a settlement. As Drydens was acting on its behalf, I don't think it fair for Drydens to also have to make a settlement for the same thing.

That said, I can look at how Drydens treated Miss K. She feels it didn't initially give her enough information, that it asked her to give her details before it would speak to her, that it didn't take the matter seriously, and that it harassed her.

I think Drydens was reasonable in not giving much information in its first letter. This is because it didn't want to send too much personal information until it was certain Miss K was at the address. Likewise, it was reasonable of it (and indeed correct) to ask for personal details before discussing the matter with Miss K. This is standard procedure to ensure it was speaking to the right person.

Miss K feels Drydens didn't take her seriously when she told it the debt had been settled. I've looked at what it did when she told them. I can see it referred the matter back to the third party on 25 June. On 23 July, the third party confirmed to it that it should close its file. From the evidence I have, I can't see that it continued to pursue the debt after it had referred the matter back to the third party. Because of this, I don't think it acted incorrectly, or failed to act on her concerns.

my final decision

For the reasons given above, it's my final decision not to uphold this complaint. I make no award against Drydens Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss K to accept or reject my decision before 8 January 2016.

Elspeth Wood
ombudsman