

complaint

Ms C complains Vanquis Bank Limited ("Vanquis") opened a credit card account in her name, even though she didn't apply for it. She is now being pursued for a debt she says was incurred by someone else.

background

Vanquis opened a credit card account for Ms C in January 2014. She says she didn't open the account.

Ms C was sent a card, which she told us had an incorrect salutation, but told Vanquis she hadn't used it. She's also commented upon some of the contact details Vanquis held for her being incorrect, which she believe shows she can't have opened the account.

The account in Ms C's name was used to make a purchase from a high street retailer, using its online shop. Vanquis contacted the retailer when it was told about suspected fraud but was satisfied the transaction had been carried out by Ms C and the goods delivered to her.

One of our adjudicators considered Ms C's complaint, and felt Vanquis wasn't wrong to seek repayment from her. In summary, she said she felt it more likely than not Ms C had applied for the card and made the disputed purchase.

Ms C didn't agree. In addition to the evidential points she previously made, she said she'd been burgled in 2012 and her personal information had been available to the thief. She also referred to the information Vanquis holds which she feels isn't correct.

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 there's clearly a contradiction between what Ms C and Vanquis have told us, I have to decide what's most likely to have happened.

I appreciate Ms C's unhappy with this approach, but it's important to remember that this service is an informal alternative to the courts and we don't follow the same approach a court might when considering evidence.

Ms C is asking me to agree with the following:-

- A fraudster obtained her personal details, possibly up to nearly two years before a fraud took place, and used the information to apply for credit in her name.
- The fraudster used the credit to purchase goods for delivery to Ms C's home address.
- The fraudster took delivery of the goods, at Ms C's address, without her being aware.

Like our adjudicator, I'm afraid I'm not persuaded by Ms C's version of events. I find it unlikely that if someone had stolen her personal details they'd wait so long before carrying out a fraud as a number of important details could have changed in the intervening period.

Ms C is also asking me to believe that someone arranged for goods to be delivered to her address and then waited undetected to intercept them.

In terms of the accuracy of the information held by Vanquis, while noting that there may have been some significant inconsistencies, I'm satisfied that the key identifying features that Vanquis needed to carry out its credit check and authenticate Ms C were present and correct. I don't think the errors in the remaining information detract from that.

Ms C also commented on delays by Vanquis in looking into her concerns. However, she didn't provide the information it had asked for. It asked her to return a signed form before it could fully look into her complaint, which she says she didn't receive. Given the obvious importance this matter has to Ms C, it's surprising she didn't chase this up more vigorously.

Overall, I don't think Vanquis was wrong not to look into the claim immediately and, even if it was, I don't believe any delay would have affected the outcome of the complaint.

my final decision

My final decision is that I don't think Vanquis Bank Limited needs to do anything else to resolve this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms C to accept or reject my decision before 4 December 2015.

Ashley L B More
ombudsman