



complaint

Mr E complains that that he has been pursued for a debt by Aktiv Kapital (UK) Limited that he does not owe.

background

Mr E received a letter which said that he owed a debt. Mr E disputed the debt and Aktiv Kapital agreed to cease all recovery action but Mr E did not receive any communication from Aktiv Kapital. He complained to Aktiv Kapital but was not satisfied by its response so complained to this service.

The adjudicator recommended that this complaint should be upheld. He concluded that Mr E had been caused some distress and inconvenience by the actions of Aktiv Kapital and that it would be fair and reasonable for it to pay him £50 compensation.

Aktiv Kapital says that it should not be required to pay any compensation to Mr E.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Mr E received a letter in March 2012 telling him that he was being pursued for a debt. He did not consider that he owed the debt so he replied to the letter asking for evidence to show that the debt was his. Aktiv Kapital replied saying that it was ceasing all recovery action because it was unable to provide the requested documentation. That letter was sent to an incorrect address and was therefore not received by Mr E.

There has also been some confusion as to whether the debt is not being pursued because it is not owed by Mr E, because there is not enough evidence to show that he owes it or because it was time barred.

These events will have caused Mr E distress and inconvenience and I consider that it would be fair and reasonable for Aktiv Kapital to pay him £50 compensation.

my final decision

For these reasons my final decision is that I uphold this complaint. In full and final settlement of it I order Aktiv Kapital (UK) Limited to pay £50 to Mr E to compensate him for the distress and inconvenience that he has been caused.

Jarrold Hastings
ombudsman