

complaint

Mr D complains that Link Financial Outsourcing Limited are pursuing him in relation to a county court judgment ("CCJ") obtained in 2010. He says that the debt should have been written off as part of that court process.

background

A trading style of Link obtained a CCJ against Mr D in 2010. This set out that a debt existed, and provided for payments to be made until that debt was cleared.

Mr D argues that the effect of the CCJ was to place an entry on his credit file for a period of time, after which the debt ought to be written off. He also says that interest continues to be charged in relation to the debt.

Link says that Mr D has misunderstood the effect of a CCJ. It says that there is nothing in the order to suggest that the debt will be written off.

Link also says that the CCJ explicitly provides that interest may continue to be charged. It says that it has acted properly in relation to this debt.

Link also provides account statements. It says that these show that the debt is still outstanding and that it is fair to continue to collect against it.

As part of our process, the investigator provided their view to the parties. They thought that Link had done nothing wrong.

Mr D did not agree and so this has come to me for a 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.

I have looked carefully at the court order which has been provided. While I can see that Mr D has understood that this will cause the debt to be written off, I cannot say that this is the effect of the CCJ.

The CCJ clearly provides that it will continue until the debt is cleared. Having regard to the account statement, I am satisfied that the debt has not yet been cleared.

I have considered what has been said about the interest. Again, I am satisfied that the CCJ provides that interest can continue to be added to the account.

In the circumstances, I agree with the investigator. I do not think that Link need do anything further in relation to this complaint.

my final decision

For the reasons given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 12 February 2018

Marc Kelly
ombudsman