

complaint

Mr H complains that an account at Vanquis Bank Limited was opened fraudulently and he is not liable for the outstanding debt.

background

The account was opened on 30 May 2009. The account defaulted in January 2010 and the balance was sold to a third party in August 2011. Mr H says that his sons opened the account using his identity.

The adjudicator did not recommend that the complaint be upheld. She said that:

- Although Mr H said he had been in prison for a period between 2007 and 2008 and then living in a hostel this did not mean he could not have made the application in 2009.
- The application was made online so it was not possible to say exactly who made this.
- Vanquis said that Mr H was aware of this debt in 2011 as it had been provided with a screenshot of his credit file showing this debt. He did not raise any concerns until 2014 and this did not seem consistent with someone discovering a debt that did not belong to them.

Mr H did not agree. He said that this is not his debt and should not be on his credit file.

my findings

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

The adjudicator has set out all the main issues in this complaint. I won't be able to say exactly what happened. But Mr H seemed to have had a much earlier opportunity to report this application as a fraudulent one. This was then investigated by Vanquis in 2014 who told Mr H that it did not think that was a fraud. There is now much more limited information available about what happened in 2009. And given the passage of time I also note that any reporting about this debt to credit reference agencies will now be made by the third party that took it over.

I am not persuaded, on balance, that Mr H did not make the application.

my final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 30 October 2017.

Michael Crewe
ombudsman