

## **complaint**

Mr W complains that Lowell Financial Ltd ("Lowell") is seeking repayment for two credit card debts that are not his. He says he does hold two credit cards with a third party credit card company but the account numbers are not the same. Mr W says that even if these debts were his they should be considered statute barred as he has not been contacted about them for fifteen years.

## **background**

Our adjudicator did not recommend that this complaint should be upheld. She was satisfied that Lowell had thoroughly investigated Mr W's concerns about the ownership of the debt with the original credit card company. She concluded that the two credit card debts did belong to Mr W and that he had been making payments on the debts up until 2010.

Mr W did not accept that conclusion. He said in summary that the account numbers did not match those that he held with the credit card company and Lowell had not been able to demonstrate that they were the same accounts.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Where necessary and/or appropriate, I reach my decision on the balance of probabilities - in other words, what I consider is most likely to have happened in the light of the evidence that is available and the wider surrounding circumstances.

I am satisfied that Lowell has conducted a satisfactory investigation into Mr W's concerns about who is responsible for the account. Lowell says it bought the debt from the third party company and this company has been able to provide the relevant information which shows that the debts do belong to Mr W and that the account numbers are for the same credit cards that he accepts he owns.

The card numbers that Mr W has accepted he owns also have a separate account number associated to them. It is these account numbers that Lowell refers to in its letters. Because the credit card company had previously only referred to the card numbers, it has understandably caused some confusion for Mr W. However, I am satisfied that both numbers refer to the same credit card accounts and debts. In the circumstances, I do not consider that Lowell has made a mistake in asking Mr W to repay these debts.

It is not for this service to determine whether or not a debt is statute barred. Mr W would need to test this in court. In any event, I am satisfied that Mr W had been contacted regularly about the accounts and has acknowledged these debts.

For these reasons I do not uphold the complaint.

**my final decision**

My final decision is that I do not uphold this complaint.

Joyce Gordon  
**ombudsman**