

complaint

Ms T complains that Advantis Credit Limited didn't do enough to verify that she was its customer before it asked her to repay a debt she doesn't owe.

background

Ms T explains that an incorrect link has been created by a third party on her credit file. Advantis relied on this and it wrote to Ms T demanding repayment of a debt. Ms T told Advantis that the debt wasn't hers and it did not write to her again about it. Advantis also told Ms T that it wasn't responsible for the incorrect links and it relied on the information from the credit reference agencies.

Our adjudicator didn't recommend that the complaint should be upheld. She considered that it was fair and reasonable in the circumstances for Advantis to rely on the information from the credit reference agency and agreed that Advantis wasn't responsible for recording the incorrect information. She considered that Advantis dealt with the complaint promptly. It removed Ms T's name from its records regarding this debt and did not contact her again once it knew that she wasn't the right person so she didn't think it should do any more. Ms T didn't agree and said that Advantis should have done more to verify that she was the right person before sending any letters demanding repayment.

my findings

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

It is accepted that Advantis wasn't responsible for recording the inaccurate information. The question for me to decide is whether it was reasonable for Advantis to have done more to verify that information before it wrote to Ms T.

I sympathise with Ms T and I can see that this incorrect link has caused her considerable trouble and upset. But I don't think that this is Advantis fault. I think it is reasonable for Advantis to rely on the information from the credit reference agency as up to date and accurate. Businesses should provide accurate information to credit reference agencies and take steps quickly to remove inaccurate information. I don't think it is fair or reasonable to say that Advantis should have treated the information as unreliable and sent a soft trace letter in these circumstances. It didn't have any reason to think that the information was unreliable and I haven't seen any evidence that suggested that Advantis should carry out further checks.

Once Advantis was told of the mistake by Ms T it didn't send her any more letters and updated its own internal system. It also told Ms T how to go about getting the inaccurate link removed from her credit file. I think that this is reasonable in the circumstances and I can't ask Advantis to do any more.

my final decision

My final decision is that I don't uphold this complaint. Under the rules of the Financial Ombudsman Service, I'm required to ask Ms T to accept or reject my decision before 18 February 2016.

Emma Boothroyd
ombudsman