

## **complaint**

Mr H complains that Barclays Bank PLC has incorrectly pursued him for a debt that should have been written off. He also complains about the customer service that he has received from Barclays. He is being helped with his complaint by a representative.

## **background**

Mr H had a credit card and, in 2007, he was experiencing financial difficulties so a partial settlement was agreed and the remaining balance of his account was to be written off. It was not written off and Mr H has been pursued for the remaining balance of £2,401.72 since then and a county court judgment was made against him (although it has now been set aside). He complained to Barclays but was not satisfied with its response so complained to this service.

Barclays then agreed to pay £2,500 compensation to Mr H which the adjudicator considered to be fair and reasonable.

Mr H's representative says that Mr H was experiencing some financial difficulties in relation to his credit card debt debts in 2007 but he re-mortgaged and paid off all his credit card debts. The representative says that it was not the defaults that caused later problems for Mr H but the county court judgment instigated erroneously by Barclays. Mr H's accountant has provided unaudited information to show the extent to which Mr H's taxable income diminished between 2005 and 2013.

## **my findings**

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

There is no doubt that Mr H was experiencing considerable financial difficulties in 2007 and Barclays passed his credit card account to a recovery agent. The recovery agent accepted a partial settlement from Mr H and agreed to write off the outstanding balance of the account (although that did not happen). Barclays accepts that the remaining balance on Mr H's credit card account of £2,401.72 should have been written off and it has now written off that amount.

However, I am not persuaded that there is enough evidence to show that it was Barclays' actions that caused Mr H's taxable income to diminish between 2005 and 2013. I consider it to be more likely than not that his taxable income diminished because of wider problems that he was experiencing. Nor am I persuaded that there is enough evidence to show that Mr H has repaid the credit card debt in full.

Barclays acknowledges the considerable trouble and upset that has been caused to Mr H as a result of pursuing him for the remaining balance of his account. For that reason it has offered to pay him £2,500 compensation. I consider that offer to be fair and reasonable in the circumstances. I am not persuaded that it would be fair or reasonable for me to require Barclays to increase the amount of compensation that it has offered to Mr H.

## **my final decision**

For these reasons, my decision is that, in full and final settlement of Mr H's complaint, I order Barclays Bank PLC to pay him £2,500 compensation.

Jarrold Hastings  
**ombudsman**