

## **complaint**

Mr R says that Motormile Finance UK Limited is pursuing him for a debt without demonstrating to his satisfaction that he owes them any money. He's unhappy about the nature of the contact he's had with them.

## **background**

Motormile began to chase Mr R for payment of a debt in 2014. It sent emails, telephoned and tried to arrange home visits. Mr R challenged its right to do any of these things and said that he had no relationship with Motormile. He sought information about the loan.

Motormile said it had bought the loan from Swift Sterling, so it now owned the debt and was entitled to collect payments. Mr R didn't think that was enough and asked to see an agreement between Swift Sterling and Motormile.

Mr R raised a number of other points too. For instance:

- He said that Motormile had sent emails in an insecure way.
- He said emails had been sent in the middle of the night.
- Motormile had called his parents and his workplace and provided confidential information.

Mr R brought his complaint to this service. After he did so, Motormile agreed – without accepting it had done anything wrong – to reduce the amount it was seeking to £600. That was a reduction of just under £100. Our adjudicator thought that was fair. Mr R didn't accept that offer though, and asked that an ombudsman review the case.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done that, I agree that Motormile's offer is fair.

The evidence shows that Mr R did take out a loan with Swift Sterling in 2012. He's never suggested he's repaid it. I've no reason to think Motormile didn't buy that loan as it says it did, and so it's entitled to seek payment from Mr R. If Mr R had any real doubts about Motormile's actions, I think he might have tried to check the position with Swift Sterling; but I've seen nothing to suggest he did that. Having said that, I think Motormile could have explained its own involvement sooner and more clearly.

I can see that Motormile's approach to collecting the debt it says Mr R owes has been fairly robust at times. But I don't think it's been unfair in the circumstances. Mr R hasn't shown any willingness to try to reach any kind of accommodation with Motormile. Instead, he's threatened to have any debt collectors arrested, for example, and accused Motormile of breaching data protection. He hasn't provided any clear evidence that Motormile discussed the debt with anyone else or that its emails – which were sent to the same address we have for him – were seen by anyone who shouldn't have seen them.

In all the circumstances, then, I think Motormile's offer of settlement is fair.

**my final decision**

I agree that the offer made by Motormile Finance UK Limited to reduce Mr R's debt to £600 is reasonable and that it should do that to settle this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 7 January 2016.

Michael Ingram  
**ombudsman**