

complaint

Miss K complains that Arrow Global Accounts Management Limited is pursuing her for a debt that she has repaid.

background

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

- Two debts for significantly different amounts were sold by the same lender in January 2006 to different third parties.
- Arrow Global acquired one of the debts from one of the third parties which continued to administer it, until Arrow Global commenced legal action.
- Arrow Global had provided evidence of the contact its relevant third party had with Miss K and showed that she made a repayment in June 2009.
- Although Miss K had provided evidence that she had paid off a debt in 2011, he was satisfied that this related to a different debt to the other third party.

Miss K did not agree. She said that the first time she heard of the alleged second debt was from Arrow Global recently. She said that as eight years had elapsed since the loan was taken out this would make it “statute barred” as there had been no contact between the two parties within a six year period. She does not consider Arrow Global has established that this debt is separate to the one she has already paid off.

my findings

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

I note that the adjudicator put the new point about time limits that Miss K raised to Arrow Global. It said that as Miss K has made a part payment in the last six years the Limitations Act 1980 does not apply.

I appreciate the potential for confusion when debts are sold between parties. But, I agree with the adjudicator that the evidence shows that there were two separate debts sold to different parties. Those parties are not related and I have not seen anything to suggest that they had any common dealing in the recovery of the debts. Whilst I can see why Miss K might have thought she was clearing all of the debt that had originated with another lender in 2011 I am afraid that this was not the case.

I am not persuaded on the evidence that Arrow Global is not pursuing a valid debt for Miss K or that it has acted unreasonably in doing so. I know Miss K will be very disappointed by my decision.

my final decision

In light of the above my decision is that I do not uphold this complaint.

Michael Crewe
ombudsman