

complaint

Mr K complains that Robinson Way Limited did not provide him with the information he asked for and took a long time to respond to him.

background

Mr K says that Robinson way failed to provide him with the information he asked for in regard to a debt that it was asking him to pay. He says that Robinson Way responded to him in December 2017 but did not tell him what type of debt he had.

Mr K says that it took Robinson Way months to provide him with the address at which the debt was taken out and to respond to his complaint. He also says that he contacted the credit reference agencies and was told the debt was closed in 2012. Mr K says this issue is causing him stress

Robinson Way says that Mr K emailed it in December 2017 asking for further information about the debt. It says it wrote to him explaining the debt related to a bank account opened in 2004 and defaulted in 2011, the name of the bank was provided. It explained that it would need to contact the original debt provider to find out the address used for the account. This information was then provided in August 2018.

Robinson Way says that although it provided the requested information it did not acknowledge Mr K's complaint received in February 2018 and so it upheld this aspect of this complaint and apologised. Robinson Way also apologised that Mr K had found its actions harassing but did not think that any of its communication was inappropriate.

Our adjudicator did not uphold this complaint. She said that Mr K had been provided with the information he had asked for and did not think that Robinson Way had acted unreasonably by asking for payment.

Mr K did not accept our adjudicator's view. He said that he hadn't been provided with all the information he had requested as he wished to know what type of debt he was being chased for and when and where it was taken out. He said that it had taken Robinson Way five or six months to get back to him after failing to acknowledge his complaint and that an apology for this was not sufficient.

Mr K objected to our adjudicator's comment that he had the benefit of the funds saying that Robinson Way had not been able to prove when or where the debt was incurred.

my findings

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

Mr K made contact with Robinson Way in December 2017 asking for further details about a debt it had contacted him about. He explained that he was out of the country for a period of time and said he did not recall owing the debt. He asked to be provided with information about when and where the debt was incurred and what type of debt it was.

I understand that Mr K did not feel that his questions were answered. But Robinson Way wrote to him explaining the debt related to a bank account and the date the account was opened and when it was defaulted so I find that it did try to answer Mr K's questions.

In regard to Mr K's question about where the debt was taken out Robinson Way explained it would need to contact the original debt provider. There was a delay in this information being provided but I have looked at Robinson Way's contact notes and can see this information was received in July 2018. A letter was sent to Mr K in August 2018 with the address. So while I understand there was delay, Robinson Way did act once the information was received.

I can see that since this complaint has been raised our adjudicator has also provided further details of the account, including the sort code for the branch.

Therefore while I understand Mr K is not satisfied with the information he has received, I think that Robinson Way has acted reasonably in providing the information it has available.

Robinson Way has accepted the Mr K's complaint was not acknowledged in February 2018 and apologised for this. I appreciate Mr K does not think this is sufficient and has noted the time it took for him to receive a response. I understand why Mr K is upset but I do not find that this issue materially disadvantaged Mr K and I think in this case the apology provided is sufficient.

Mr K has also said that the credit agencies have told him the debt was closed in 2012. I have not seen further information about this but I note that Mr K was sent a notice of assignment in 2014 explaining that the debt had been sold by the original account provider to another company and that Robinson Way would be managing it. Based on this, and the other information provided, I do not think that Robinson Way has acted unreasonably by contacting Mr K about this debt.

my final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 15 February 2019.

Jane Archer
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