

complaint

Mr F complains that Robinson Way Limited contacted him to repay a debt which he is already paying to another debt collection company. He also says the amount outstanding is lower than Robinson Way says it is. He wants compensation for the stress he has been caused.

background

The amount Mr F owes originates from a credit card balance which was sold to a third party. That third party's agent agreed a repayment plan with Mr F in 2009 and he set up a standing order for monthly payments. Recently, the third party wrote to Mr F to tell him it had now asked Robinson Way to collect the debt on its behalf. But there is a dispute over the amount outstanding.

The adjudicator did not recommend that the complaint should be upheld. She concluded that Robinson Way had been instructed to collect this debt and that if Mr F disputed the amount outstanding he would need to send proof of his payments.

Mr F said, in summary, that it was not clear why and how Robinson Way had purchased the debt and the previous debt collector had agreed to confirm the balance with Robinson Way. He wants compensation for the stress caused.

my findings

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

I am not unsympathetic to Mr F's circumstances here. I can see that there have been a number of firms involved in the collection of his debt and I understand it is upsetting for him to have the worry of his existing payment plan possibly not being accepted by the new firm and uncertainty around the outstanding balance. But I don't find Robinson Way has made a mistake for which Mr F should be compensated. Let me explain why.

The debt was assigned to Robinson Way and a notice of assignment was sent to Mr F. Robinson Way asked Mr F to contact it to arrange a payment plan. A higher balance was wrongly shown as outstanding – but this was because this was the figure given to Robinson Way by the owner of the debt and did not take into account the payments Mr F had made since October 2013. So although Robinson Way wrote to Mr F about a balance that was higher than it should have been, I don't think this was because it made a mistake.

Robinson Way has now received confirmation of the correct balance from the previous agent. And I understand Mr F has now cancelled his standing order to the previous agent and set up a payment arrangement with Robinson Way.

my final decision

For the reasons I have explained, 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 F to accept or reject my decision before 29 December 2015.

Elizabeth Dawes
ombudsman