

## **complaint**

Mr and Mrs A complain that Cabot Financial (Marlin) Limited haven't provided them with information about a debt it says they owe.

## **background**

Mr and Mrs A are being pursued by Cabot for a debt. They say that despite asking it to on a number of occasions, Cabot hasn't provided them with documentation to show it is the legal owner of the debt. So they're reluctant to pay it.

Our adjudicator didn't think the complaint should be upheld. He said that on 22 April 2014 Cabot and the business Mr and Mrs A originally owed both wrote to them to say that their debt had been sold to Cabot. So he thought it was clear that Cabot owned their debt. Cabot has told us that it isn't required to send Mr and Mrs A the formal documentation, a deed of assignment, to cover this sale. And it doesn't want to do this because its terms are confidential. Instead it issued a notice of assignment, which is common practice when a debt is sold.

But Mr and Mrs A remain unhappy. So I've been asked to review this complaint.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. And I agree with what the adjudicator has said, for the same reasons.

I'm satisfied that Cabot bought Mr and Mrs A's debt. And I can see that it, and the original business, told Mr and Mrs A about this in April 2014. I also understand that Cabot has started legal proceedings against them in relation to the debt. I'm not sure why it would do this if it didn't own the debt. I appreciate that Mr and Mrs A remain unhappy. And that they haven't been provided with the paperwork they've asked for. But I don't think Cabot is required to send them this. And I can see why it hasn't. So it follows that I don't uphold this complaint.

## **my final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs A to accept or reject my decision before 23 November 2015.

Laura Forster  
**ombudsman**