

## **complaint**

Ms R has complained that Bank of Scotland plc, trading as Halifax, is asking her to pay two credit card debts. She believes that her details have been changed without her consent which has led to the arrears.

This complaint is related to another complaint Ms R has against Halifax (case reference 14789026).

## **background**

Halifax's records show that Ms R took out credit cards with Halifax in 2005 and 2008. In 2013 she complained to Halifax after a debt collector had contacted her about money she owed. Halifax explained that as she had taken out these cards, they could ask her to pay the debts.

Ms R brought her complaint to the ombudsman service. She doesn't feel that she got the answers to what she was concerned about. She believes she's been a victim of identity fraud and that Halifax has covered up the crime. She told us about the different addresses that she lived at and those she didn't.

Our adjudicator investigated Ms R's complaint and looked at the paperwork both she and Halifax provided to us. She felt that the evidence showed that Ms R had taken out and used the cards. Therefore Halifax could ask her to pay the debts.

Ms R was upset at this outcome and has asked an ombudsman to review her case.

## **my findings**

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

It's worth saying that I know this case has caused Ms R great distress. She doesn't believe that she ever took out the two credit cards willingly. She is concerned about her card numbers changing and is very anxious about Halifax's role in what she believes is a crime.

I believe the evidence is pretty clear. I don't doubt that Ms R took out these cards and used them. This means that debts have been run up. No payments have been made since 2009 and 2010 on the two cards. But the evidence shows that statements for both of these accounts have been sent to Ms R at her address. I know that Ms R doesn't agree that these debts are hers but I'm afraid I believe they are.

I am concerned however about the anxiety these debts are causing Ms R. In discussion with Halifax, they agreed to buy back the debt from the debt collection agency and write off the debts. This is generous and I hoped this would help resolve Ms R's concerns.

Unfortunately she remains convinced that Halifax has known about the theft of her identity and helped cover up this crime. I can find no evidence of this at all and I don't believe this has happened. I can only conclude that we can't uphold her complaint.

Notwithstanding this, Halifax will still be arranging to write off Ms R's debt. I hope in time she finds this some consolation. I wonder whether she can take along our decisions to a local advice centre and ask for their assistance. They might be able to help her further.

**my final decision**

For the reasons stated above, my final decision is not to uphold Ms R's complaint against Bank of Scotland plc, trading as Halifax.

Under the rules of the Financial Ombudsman Service, I am required to ask Ms R to accept or reject my decision before 16 June 2015.

Sandra Quinn  
**ombudsman**