

## **complaint**

Mr E complains that Capquest Debt Recovery Limited should remove a default that has been registered on his credit file.

## **background**

Mr E had a credit card account with a lender who I'll call "C". More or less overnight, his financial situation changed and he was struggling to make his credit card repayments.

As a result Mr E asked C to change the payment date for his account to help him. It refused. Then he began to fall behind with his payments. Eventually C told Mr E it was going to register a default on his credit file which it did. Afterwards C sold the account to Capquest.

Mr E's financial situation improved and he was able to pay off the remainder of the debt. But he found because of the default he'd been put in the embarrassing position of not being able to get the new credit he needs.

Our adjudicator said Capquest had done nothing wrong. It had accepted his payment to settle the debt and had updated his credit file to show this. She said Mr E had separate complaint about C. But it seemed that it had been entitled to register the default so there was no proper basis to ask Capquest to remove it now.

Capquest accepted this recommendation. Mr E didn't and asked that an ombudsman review his 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. I've finished my review of Mr E's complaint. I don't think Capquest has made a mistake so I'm not going to ask it to take any further action.

I realise that my decision is likely to disappoint Mr E. He has now moved on with his life and is finding that the default is causing him financial trouble. I take on board that he feels he did everything he reasonably could to pay back C.

And I appreciate that he says he's only in this situation now because of the attitude that C took which he tells us was inflexible.

But Mr E already has a separate complaint about C. C followed the correct approach in registering the default. And as far as Capquest could see, C was entitled to register the default.

For all of these reasons I don't think it is fair and reasonable to ask Capquest to remove the default registration.

**my final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 9 December 2015.

Joyce Gordon  
**ombudsman**