

complaint

Mrs D complains that PRA Group (UK) Limited is chasing her for a credit card debt which isn't hers.

background

Mrs D took out a credit card in 2006. The account fell into arrears because Mrs D failed to make the minimum monthly repayments. She entered into a reduced payment arrangement with the original lender (who I'll call "A"). Because her financial situation didn't improve, A closed the account and sold the debt to a third party (who I'll call "B") in 2012. In 2015, B sold the debt to PRA.

Mrs D doesn't think the debt PRA is chasing her for is the same as the one she had with A. And in any event, she doesn't think she's seen enough information to show PRA own the debt. She says she wasn't notified the debt was sold to it.

PRA says Mrs D was sent a letter in 2012 telling her A had sold the debt to B. PRA then sent a further letter in January 2015 telling her it had bought the debt from B. So it considers it has demonstrated that it rightfully owns the debt.

PRA says Mrs D contacted B in 2013 asking for a copy of the original credit agreement and this was sent to her at the time. It says Mrs D had also made some payments to B to reduce the outstanding debt, so she was aware it was owed.

Our investigator didn't think PRA had done anything wrong. She thought the information given to us showed the debt PRA is chasing Mrs D for is the same debt that was held with A. She was also satisfied that PRA had shown it now owns the debt.

Mrs D disagreed with the investigator so the case has been passed to me for a final decision.

my findings

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

It doesn't appear to be in dispute that Mrs D had an outstanding credit card debt with A. But Mrs D doesn't think the debt PRA are chasing her for is the same debt or that it's the legal owner of it. I'm sorry to disappoint Mrs D, but I don't agree. I'll explain why.

I've seen a copy of the letter B sent to Mrs D in 2012 which confirmed it was now the legal owner of the debt and what the remaining balance was. I've also seen a copy of the letter PRA sent to Mrs D in 2015. This confirmed that PRA were the legal owner of the debt from 2015. I can see these letters were correctly addressed to Mrs D. Even if she didn't receive the letters, PRA are still the legal owners of the debt. So I'm satisfied that PRA do now own the credit card debt originally held with A, and it correctly notified Mrs D of this.

I've seen a copy of the original credit agreement, as well as the entire transaction history of the account whilst it was held with A. This information has been consistent when B owned the debt and now that PRA are the owners. PRA was also passed copies of the original credit card statements and credit agreement for Mrs D's account when it bought the debt.

I think it's very unlikely PRA would be in possession of these if it hadn't bought that particular debt. So taking all the circumstances and available evidence into account, I'm satisfied PRA is chasing the same debt originally held by A and it's entitled to seek repayment from Mrs D.

my final decision

For the reasons given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs D to accept or reject my decision before 6 December 2017

Tero Hiltunen
ombudsman