

## **complaint**

Mrs M complains that Hoist Finance UK Limited has recorded incorrect information on her credit file.

## **background**

Mrs M complains that there are two markers for the same debt recorded on her credit file. One of the markers was applied by Hoist. The other marker was applied by the original creditor, Barclaycard.

Mrs M also complains that the default date on her credit file is incorrect. She says that she first missed a payment in February 2012 and didn't make any payments after this date. She says that the debt should have been defaulted after 3 months (i.e. in April 2012) in accordance with ICO guidelines, but complains that it wasn't defaulted until September 2012.

Mrs M wants Barclaycard to remove the default from her credit file. She says that the debt has been marked as settled by Hoist and that Hoist is under an obligation to liaise with Barclaycard to have the default removed. Mrs M also wants the default date changed to April 2012.

Hoist says that the default was entered by the original creditor Barclaycard, and that only Barclaycard has authority to amend the date of default and/or the credit file.

The investigator did not uphold the complaint. He said that the debt hadn't been recorded twice, but that the entry by Hoist was a continuation of the report by Barclaycard. He also said that Hoist had no power to amend the default date because only the creditor who enters the original default can amend it on the credit file.

Mrs M didn't agree so I've been asked to make 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.

Mrs M's credit report shows the entry by Barclaycard with a previous default balance of £2403. The credit report also shows an entry by Hoist with a default balance of £2403 marked as settled. I'm satisfied that the entry by Hoist is not a duplicate entry but instead a continuation of the original entry by Barclaycard. I can't say that the debt has been recorded twice.

I can see that the debt was marked as settled by Barclaycard in September 2012 when the debt was sold to Hoist. Because the debt was last updated by Barclaycard in September 2012, it is no longer active for third parties to view. And because the entry was recorded by Barclaycard, it's only Barclaycard who has the power to remove it from Mrs M's credit file. Mrs M may wish to contact Barclaycard directly to request this.

All lenders have an obligation to report accurate information to the credit reference agencies. I can see that the debt has been reported as settled by Hoist. So I can't say that Hoist is reporting incorrect information.

With regards to the date of default, this was recorded by Barclaycard so again, it's only Barclaycard who has the power to amend this. Even if I thought that the default date should be changed, I can't reasonably ask Hoist to amend a credit file when it has no power to do so.

Taking all of the available information into account I'm satisfied that Hoist has correctly reported the debt and I can't say that it has done anything wrong or needs to do anything further.

**my final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs M to accept or reject my decision before 12 February 2018.

Emma Davy  
**ombudsman**