

complaint

Mr N complains that Clydesdale Financial Services Limited, trading as Barclays Partner Finance (BPF) has passed his outstanding debt onto a debt recovery agent.

background

Earlier in 2016, Mr N brought a complaint to this service querying his liability for a debt owed to BPF. We were unable to consider his complaint as it was brought to us outside of the timescales in which we are allowed to look at complaints.

Mr N then further complained that his debt had been passed onto third party debt recovery agents - but BPF said it had acted fairly in doing so. It reminded Mr N that his debt remained unpaid but said that if he was suffering from financial difficulties he should inform BPF of this.

In its submissions to this service, BPF told us that only one payment had ever been received from Mr N in relation to his loan which was taken out in August 2014. So, in April 2016 the account had been passed on to debt recovery agents to assist in the recovery of monies.

But Mr N maintained that he was not responsible for the loan and brought his complaint to this service.

When our adjudicator looked into matters for him, he could not see that BPF had acted unfairly so Mr N asked for an ombudsman's 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.

I have seen Mr N's submissions in relation to the original loan and why he argues he should not be held liable. But I'm afraid that this was the subject of another complaint which has already been dealt with by this service. I make no further comment in relation to that. The issue I have to decide as part of this complaint is whether BPF has acted fairly in referring Mr N's account onto a debt recovery agent.

Having considered submissions from both sides, I cannot see BPF has done anything wrong here. In fact, I'm not sure there is much more I can add to what the adjudicator has already said.

There does not appear to be any dispute that only one payment has been made on this loan since the date it was taken out. And BPF is entitled to ask for payment from Mr N – irrelevant of any on-going dispute he may have with other parties. After all, he is the one who took out the loan in the first place.

I'm not persuaded on the evidence I have seen that BPF has acted unfairly and so I'm afraid that this is not a complaint I can uphold.

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 Mr N to accept or reject my decision before 16 January 2017.

Shazia Ahmed
ombudsman