

## **complaint**

Mr P complains that Moneybarn No 1 Limited didn't mark his debt as a default, so it is still on his credit file. He wants Moneybarn to mark the debt as a default so it will no longer show on his credit file.

## **background**

Mr P entered into an IVA which completed in October 2016. He says that Moneybarn No.1 didn't mark his debt as a default so it hasn't 'dropped off' his credit file in the same way as his other debts that were included in the IVA. The debt has now been sold.

Moneybarn did not uphold his complaint as it noted that management for the outstanding debt was transferred to a third party and so it said he should raise his concerns with the third party.

The adjudicator did not uphold the complaint. He said that as this service is evidenced based, he could not properly assess the complaint without seeing the credit file. Without this he couldn't see what happened in 2011 when he entered the IVA. The adjudicator spoke to Mr P and explained this and also followed this up in an e-mail. He followed this up twice more in May and provided information about the three online websites which would enable Mr P to access his credit file for free. Mr P did not provide this information despite these requests. The adjudicator did not uphold the complaint as without a copy of his credit file for February 2011, and without seeing what Moneybarn No.1 put on his file, he was unable to take the complaint any further. He gave Mr P a further opportunity to send in his credit file. Mr P did not do this.

Mr P was unhappy with this response and said that the adjudicator was not aware of the legislation around IVA's. He did not provide a copy of his credit file and asked for the case to go to an ombudsman.

## **my findings**

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

The adjudicator explained that this service is impartial and evidenced based. The adjudicator asked Mr P to send in a copy of his credit file and referred him to the relevant websites so he could obtain this information for free. This information was not provided despite a number of requests.

I agree with the adjudicator that without the credit file it is not possible to fairly conclude what Moneybarn has or has not done. It is not clear why Mr P has not provided this information. Without this information I am unable to say that Moneybarn has done anything wrong, and I do not uphold this complaint.

## **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 P to accept or reject my decision before 5 October 2018.

Clare Hockney  
**ombudsman**