

complaint

Mr D complains that Vanquis Bank Limited did not cancel his Repayment Option Plan (ROP) when he asked it to. Mr D asks that charges are refunded and his credit file restored.

our initial conclusions

The adjudicator did not recommend the complaint should be upheld, saying there was no evidence that Vanquis had received a request from Mr D to cancel the ROP. Mr D did not agree.

my final decision

To decide what is fair and reasonable in this complaint, I have considered everything that Mr D and Vanquis have provided. Where there is a dispute about what happened, I have based my decision on the balance of probabilities-in other words, on what I consider is most likely to have happened in the light of the evidence.

I am satisfied from the evidence that Mr D's ROP was activated for three months in 2010 and that Vanquis wrote to Mr D about the ROP in 2010 and 2011. While Mr D says he asked Vanquis to cancel the ROP in 2010, I am not persuaded from the evidence that Vanquis received his request.

It is not in dispute that Mr D's credit card account is in arrears and, as a result, his debt has been passed to a debt collection agency and information has been filed with the credit reference agencies. Although Mr D says that he will not pay the debt until the dispute about the ROP is settled, Vanquis is entitled to pursue the debt and register the arrears with the credit reference agencies. Vanquis has a duty to report accurate information to the credit reference agencies so I cannot require it to change the information provided about Mr D's account.

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

Under the rules of the Financial Ombudsman Service, I am required to ask Mr D either to accept or reject my decision before 6 August 2013.

Ruth Stevenson

ombudsman at the Financial Ombudsman Service

The ombudsman may complete this section where appropriate – adding comments or further explanations of particular relevance to the case.

ombudsman notes

what is a final decision?

- A final decision by an ombudsman is our last word on a complaint. We send the final decision at the same time to both sides – the consumer and the financial business.
- Our complaints process involves various stages. It gives both parties to the complaint the opportunity to tell us their side of the story, provide further information, and disagree with our earlier findings – before the ombudsman reviews the case and makes a final decision.
- A final decision is the end of our complaints process. This means the ombudsman will not be able to deal with any further correspondence about the merits of the complaint.

what happens next?

- A final decision only becomes legally binding on the financial business if the consumer accepts it. To do this, the consumer should sign and date the acceptance card we send with the final decision – and return it to us before the date set out in the decision.
- If the consumer accepts a final decision before the date set out in the decision we will tell the financial business – it will then have to comply promptly with any instructions set out by the ombudsman in the decision.
- If the consumer does not accept a final decision before the date set out in the decision, neither side will be legally bound by it.