

## **complaint**

Mr R complains that Erudio Student Loans Limited pursued him for a debt that was time barred.

## **background**

Mr R had a student loan which Erudio bought from the original lender. Erudio wrote to him requesting payment, despite the fact that the debt was time barred. Mr R says Erudio acted fraudulently in trying to get him to pay money for a debt which it could no longer recover.

Erudio has apologised. It says it wasn't aware the debt was statute barred until Mr R raised this. It says the debt hasn't been written off, but his loan account will be marked as statute barred. It says Mr R won't get any more letters about this now and it won't ask him for payment. It says it hasn't recorded any information on his credit file. It's offered him £75 compensation for the mistake.

The adjudicator says she's satisfied that Erudio wasn't aware the debt was statute barred when it was passed over from the other lender. She doesn't think it acted fraudulently in trying to claim money from Mr R. She feels it made an administrative error. She thinks the compensation offered is fair.

Mr R doesn't agree. He wants all information about the loan removed from his credit file. He wants Erudio to destroy his personal information held on file. He wants compensation for his costs and £325 from Erudio, which is the amount it tried to claim from him.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. This service considers complaints based on their individual merits. So, my decision will focus on Mr R and the impact of Erudio's actions on him personally.

Mr R feels very strongly about Erudio's actions. From what I've seen, Erudio responded to his concerns and accepted the debt was statute barred. I'm satisfied Erudio took responsibility for its mistake. It said it wouldn't pursue him further, and I can't see that it has. I'm not the regulator – I'm not here to punish Erudio. I'm here to consider what it did wrong and what it should do to put things right. In Mr R's case, I think Erudio made an administrative mistake and it acted quickly to try to put things right.

Erudio explained that it can't remove Mr R's debt from its file as it has to keep records. I note it's going to make sure the file's accurately updated. The way financial businesses record and keep personal information is a matter for the regulator and the Information Commissioner. It's not for me to tell Erudio what information it can keep on its files.

I appreciate Mr R's concerned about his credit file. But, Erudio says it hasn't recorded anything on this and I find nothing to suggest otherwise. Erudio suggested that the previous lender might have recorded information on Mr R's credit file. I've only considered Mr R's complaint about Erudio here, but Mr R may wish to contact the former lender.

Overall, Erudio admitted it made a mistake and offered Mr R £75 to put things right. I appreciate that Mr R would have had to spend time resolving this complaint. He's also, no doubt, had administrative expenses. In the circumstances, I think this is a fair offer.

**my final decision**

My final decision is that, if it hasn't already done so, Erudio Student Loans Limited should pay Mr R £75 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 4 March 2016.

Loucia Kyprianou  
**ombudsman**