

### **complaint**

Mr B complains that Vanquis Bank Limited is asking him to repay a debt that he believes has been cleared through a debt management plan. Mr B wants the bank to acknowledge that the debt has been cleared.

### **our initial conclusions**

The adjudicator did not recommend that this complaint should be upheld. He concluded that both Vanquis and Mr B had provided evidence to show that the debt did exist and that Mr B was probably aware of this.

Mr B has asked for his complaint to be decided by an ombudsman.

### **my final decision**

To decide what is fair and reasonable in this complaint, I have considered everything that Mr B and Vanquis have said and provided.

Mr B told us that a payment he had made to Vanquis cleared his account, and then that he had paid the remaining debt through a debt management plan. I can see from internal records provided by Vanquis that Mr B's last arrangement – in 2009 - was to make payments of £5 per month. Vanquis accepted this for 12 months, and Mr B paid. That is a temporary arrangement, and does not mean the rest of the debt, about £1,000, was cancelled after this.

I am satisfied, from the evidence provided by both parties that the debt does exist. That means that Vanquis – and now the collections agency it has sold his debt to – is entitled to ask Mr B to repay it. If Mr B is still suffering from financial difficulties then I would urge him to contact the collections agency so that he can make arrangements to repay what he can afford. Mr B may wish to ask a free advice agency to help him with this, as he did before.

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

**Under the rules of the Financial Ombudsman Service, I am required to ask Mr B either to accept or reject my decision before 18 March 2014.**

*Susan Peters*

*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.