

complaint

Mr D complains about the way that Lowell Portfolio I Ltd handled his dispute about a debt.

background

The debt was sold to Lowell in November 2010. In summary, Mr D is unhappy with the way Lovell handled his dispute of the debt.

Our adjudicator did not recommend this complaint be upheld. She was satisfied that Lovell had handled Mr D's dispute in accordance with the relevant practice guidance. Mr D disagreed with the adjudicator's view and the complaint has been referred to me for final determination.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Having done so, I do not uphold the complaint.

Mr D disputes that the debt belongs to him and argues that it is not enforceable. This matter has been considered separately against the original lender, under another complaint, so I will not comment further on this.

From the evidence available, I am satisfied that Lovell handled Mr D's dispute about the validity of the debt in accordance with the industry guidance. Mr D first disputed the debt with Lovell in June 2013; following this Lovell put the account on hold and undertook a joint investigation with the original lender. I can see that Lovell wrote to Mr D in September 2013 to inform him of the outcome of the investigation and advise him that collections would resume on the account.

Whilst I accept that Mr D may not have accepted the outcome of the investigation, I am satisfied that Lovell made reasonable effort to clarify and investigate Mr D's dispute about the debt. Based on the information available to me, I do not find it has acted unreasonably (or contrary to industry good practice) in continuing to seek repayment from him in this instance.

I know this is not the outcome which Mr D wants. However, he does not have to accept it, and may pursue this matter by alternative means, such as court, should he wish to do so.

my final decision

For the reasons outlined, 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 to accept or reject my decision before 25 March 2015.

Karen Dennis-Barry
ombudsman