

complaint

Mr D's unhappy that 1st Credit Limited has continued pursuing him for a debt he says he's not responsible for. He wants the debt waived, recovery action to stop and his credit file amended.

background

Our adjudicator felt this complaint shouldn't be upheld. He said:

- Mr D had a dispute with a third party business over a debt. It wasn't resolved to his satisfaction and he still thinks it's not valid.
- 1st Credit bought the debt in good faith from the other business. It's not a party to the original dispute. It contacted Mr D about the debt and has taken reasonable steps to verify the accuracy of the amount it's trying to collect. It's contacted the other business, placed collection activity on hold while it investigates matters. Its kept Mr D updated and told him of the other business' response. The other business says the debt is valid. 1st Credit's only restarted collection activity once it hadn't heard from Mr D. When he again disputed the debt it again put collection activity on hold.
- Being contacted for a debt Mr D believed shouldn't exist can be distressing. Even so 1st Credit hasn't acted unfairly. It's done everything he'd reasonably expect it to do.
- So, he can't ask 1st Credit to waive the debt it bought from the other business.

Mr D doesn't agree and has asked for an ombudsman review. In summary he says 1st Credit shouldn't be pursuing him. He didn't owe the other business anything and its lying. It's sold 1st Credit a bad debt. It should sort this out directly with the original business. He wants compensation for being harassed.

my findings

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

I agree with the adjudicator's conclusions for the same reasons.

Overall, I don't think on balance that 1st Credit has done anything wrong. It appears to have acted reasonably investigating this matter. Having done so the original business has confirmed a valid debt is owing.

Taking everything into account 1st Credit is entitled to pursue the debt and I don't think I can fairly or reasonably require it to waive the debt, stop collection action or pay compensation as Mr D would like. And, although I recognise Mr D's strength of feeling, I don't see any compelling reason to change the proposed outcome in this case.

my final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 29 December 2016.

Stephen Cooper
ombudsman