

complaint

Miss S complains that the loan she received from Provident Personal Credit Limited (trading as 'Real') wasn't affordable.

background

Miss S took the loan out in 2009. She later complained to Provident that it hadn't been affordable. And, being unhappy with its response, she complained to this service.

Our adjudicator thought Miss S's complaint shouldn't be upheld.

Miss S disagreed with the adjudicator's conclusions, so the matter's been referred to me to make a final decision.

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've decided not to uphold Miss S's complaint and I'll explain why.

Miss S says she couldn't afford the loan and she had to take other loans to make the monthly payments. And she says Provident didn't carry out any proper credit checks before making the loan, which she says was irresponsible lending.

So, Miss S says she wants Provident to repay the interest she paid on the loan.

Provident says in view of the length of time since it made the loan it isn't able to recover the necessary data to consider what Miss S's credit status would've been at the time. Or to check what process was followed when the loan was completed.

I haven't seen Miss S's credit file from when the loan was made, due to the amount of time that has passed since then. But I have seen her bank statements from the months leading up to the loan and I don't think these show any evidence of Miss S being in financial difficulties at the time.

I don't know what affordability checks Provident carried out and I don't think it's surprising that it can't give us this information, in view of the passage of time. But I think if it had any concerns about Miss S's ability to repay this loan, based on the contents of her credit file, it would've been likely to look at her bank statements. And, as I've already noted, these don't suggest that she was in financial difficulties, at the time.

So, in these circumstances, I can't conclude it's likely this was irresponsible lending by Provident. And I can't uphold Miss S's complaint.

my final decision

I don't uphold Miss S's complaint against Provident Personal Credit Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S to accept or reject my decision before 7 April 2017.

Robert Collinson
ombudsman