

## **complaint**

Mr C complains about information Idem Capital Securities Limited has recorded on his credit file.

## **our initial conclusions**

The adjudicator did not recommend that the complaint should be upheld. He considered that Idem was entitled to record missed/part payments on Mr C's credit file. The entries correctly recorded the payments made by him.

Mr C does not agree. He says the contractual payments should be regarded as the agreed reduced repayments, rather than the original sums agreed.

## **my final decision**

To decide what is fair and reasonable in this complaint, I have considered everything that Mr C and the business have provided.

I appreciate that the information Idem has recorded on Mr C's credit file has caused him difficulties in obtaining finance and entering into agreements. As the adjudicator has explained however, Idem was entitled to make entries on his credit file to record the payments Mr C was making. I note that he had agreed to make a reduced monthly sum. Idem is entitled however record the fact that Mr C has been unable to make the actual, contractual payment he had initially agreed to pay. A credit file should be a true and accurate reflection of how an account has been run. If full payments have not been made to an account, a credit file entry should reflect this. This is the position even if reduced payments have been agreed. In light of this, it would not be fair for me to require Idem to remove any of the entries it has made to Mr C's credit file.

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

**Under the rules of the Financial Ombudsman Service, I am required to ask Mr C either to accept or reject my decision before 10 July 2015.**

*Rosemary Lloyd*

*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.