

complaint

This complaint is about Provident Personal Credit Limited (PPC) asking Mrs B to repay borrowing she disputes taking out.

background

Mrs B is represented in her complaint by her husband. Mr B says that his wife's received notices of arrears and demands for payment from PPC. Mrs B's also had repayments debited to her bank account. Mr B says his wife didn't take out the borrowing, and that she's possibly been a victim of identity fraud. He's also brought similar complaints in relation to other lenders.

our initial conclusions

After reviewing the evidence from both parties, we issued our preliminary findings. We felt there wasn't enough persuasive evidence that Mrs B had been a victim of identity fraud. We didn't think we could fairly prevent PPC from seeking recovery.

Mr B didn't accept this finding. He's asked for this review.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so, I've not seen anything that leads me to reach a different conclusion from the one we set out previously.

I know this will come as a disappointment to Mr and Mrs B. But I think there's enough indication that PPC ought to be entitled to seek recovery from Mrs B. That doesn't mean the debt is enforceable – that's for a court to decide. It's simply that I think PPC has a reasonable prospect of persuading a court that Mrs B is liable for repayment. And in the circumstances, I don't think PPC is acting unfairly in taking the steps it has.

my final decision

My final decision is that I don't uphold this complaint. Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 30 November 2015.

Niall Taylor
ombudsman