

complaint

Mr G complains Provident Personal Credit Limited is recording incorrect information on his credit file.

background

Between April and May 2015, 12 loans were applied for in Mr G's name. The loans were then repaid in a short time.

In June 2015 Provident received chargeback requests for all the payments made. The chargeback was successful, the money returned to the account holder making the application, and the loans reinstated in Mr G's name.

Mr G complained about the loans to Provident but did not bring that complaint to this service due to time restrictions allowed by the rules which govern this service. Provident did not uphold that complaint.

Mr G then complained about the entries on his credit file. He said Provident was incorrectly recording the accounts as being in arrears on his credit file. It should be reporting a default on the accounts and this should be backdated to 2015.

When Provident did not uphold his complaint, he came to this service. Our adjudicator looked at liability for the loans as well as the credit file complaint. I don't think she had the power to look at the loans – this complaint was never formally with this service.

In relation to the reporting of Mr G's credit file, she thought Provident should record the loans as in default and back date this to August 2016. This was because in July 2016, it had sent Mr G a default notice. With no response, the default should have been entered 28 days thereafter.

Mr G disagreed. He wanted the default date to be registered as 2015 - but Provident would only agree to do this if Mr G was willing to accept liability for the loans and enter into a repayment arrangement.

The matter was then passed to me for 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 should start by making it clear that the only aspect of Mr G's complaint which I am considering is the date recorded on his credit file. I am not considering his liability for the loans as that complaint is not before me - nor this service.

Provident says it chased Mr G on the number it had registered for him but received no response. It then sent a notice of intention to default in July 2016. Not having received a response to that, it would be reasonable to expect it to have entered a default on Mr G's credit file. It did not.

I don't think I could fairly ask that the entry be back dated to 2015 but I think it would be fair and reasonable for Provident to enter these accounts as in default on Mr G's credit file and to back date that entry to 13th August 2016.

my final decision

My final decision is that I uphold this complaint.

Provident Personal Credit Limited should correctly record these 12 loans as in default on Mr G's credit file from 13th August 2016.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 19 March 2020.

Shazia Ahmed
ombudsman