

complaint

Mr O complains about the service he received from Morses Club PLC in relation to his loan account.

background

Mr O says MC's agent discussed his account with his neighbour. He says the agent told his neighbour he was angry with Mr A because he doesn't keep up with his payments. And he says his neighbour told him about the conversation.

Mr O also says he has a health condition. He says the incident's caused him to have sleepless nights. And he says he feels his neighbour's opinion of him has been tarnished.

In addition, Mr O says he's reviewed CCTV footage and an audio recording of the incident. But he says he no longer has this information.

So, Mr O says he wants MC to pay him compensation for the distress and inconvenience he's experienced as a result of this matter.

MC says its agent didn't discuss Mr O's account with his neighbour. And it says there've been no similar alleged incidents logged against this agent.

Mr O complained to MC about this matter. And, being unhappy with its response, he complained to this service.

Our investigator thought Mr O's complaint shouldn't be upheld.

Mr O disagreed with the investigator'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 Mr O's complaint and I'll explain why.

Mr O clearly feels strongly about this matter. And I've sympathy for him. But I can only uphold his complaint if I can be satisfied it's more likely than not that MC's agent discussed Mr O's account with his neighbour.

The position is that Mr O says this did take place – but it is denied by MC and by the agent in question. Mr O's told us there was CCTV footage and an audio recording of the incident, but he hasn't been able to give us this information. And he says his neighbour also has a loan account with MC and is therefore unwilling to make a statement about the incident.

In these circumstances I can't determine what's most likely to have happened. And Mr O needs to prove his complaint for me to be able to uphold it – MC doesn't have to disprove it.

So, for the reasons I've explained, I don't have enough information to conclude it's most likely MC's agent discussed Mr O's account details with his neighbour. And this means I can't uphold his complaint.

my final decision

I don't uphold Mr O's complaint against Morses Club PLC.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 22 June 2018.

Robert Collinson
ombudsman