

complaint

Ms C complains about loans she had with Greenwood Personal Credit Limited. She is unhappy that her credit file shows late payment markers in respect of the loans and would like them removed.

background

Ms C borrowed money from Greenwood Personal Credit and repayments were to be made through a collection agent that would visit Ms C to collect the repayments. Although the loans have been repaid in full, Ms C says the agent would often not call to collect the required repayments. She believes it is therefore unfair that her credit file shows that payments were made to the loans late.

Greenwood Personal Credit disputes what Ms C says about the agents and says that agents did call to collect the repayments but Ms C was either not there or did not make the repayment.

The complaint was considered by one of our adjudicators and he did not recommend the complaint be upheld. He could not be certain that the agent did not call to collect the loan repayments and ultimately did not feel there were sufficient grounds to recommend Greenwood Personal Credit amend her credit file.

Ms C did not accept the adjudicator's conclusions and the complaint has been referred to me for consideration.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Having done so, I have not upheld this complaint.

The type of borrowing that Ms C had with Greenwood Personal Credit was generally repaid through an agent of the business who should have visited Ms C to collect the required amount when it became due. Ms C has a payment book and the payments should be recorded in the book against the loan every time they are made.

Ms C says however that the agent would not call when he/she should have and that some agents did not always record the repayments in the book. Greenwood Personal Credit disputes this. It says its agent did call when required but Ms C was either not there or did not make the required repayments.

I cannot be certain whether or not the agent did, or didn't, visit Ms C at the agreed times to collect the regular repayments. It is possible that the agent did not call and this caused problems for Ms C and meant she couldn't make the repayments. It is however also possible that the agent did call and Ms C was either not there or was unable to make the required repayment.

Ms C was provided with a payment card in January 2010 and this allowed her to make payments through local shops. I am satisfied that Ms C did receive the card and was using the card in January 2010 as the payments recorded by Greenwood Personal Credit record that payments were made through the payment card method.

Despite Ms C being able to make payments using the card method, repayments were still somewhat sporadic. Ms C says this is because of how far she had to travel to make the required payments and she would make larger payments to avoid having to make regular trips. I note however that Ms C's payment book shows she paid £20 on 23 January 2010 and although not shown in the book this was through the payment card method. The next recorded payment was not until 27 March 2010 and a further £20 was then paid. There is 63 days, or 9 weeks, between these payments and as £3.01 was required each week, £27.09 (9 X £3.01) would need to be made to the loan to ensure it remained up to date.

I accept that some overpayments were made to the account but it does appear that there were occasions where the required repayments were not made when they should have been. I cannot be certain that the late payments were as a result of failures by Greenwood Personal Credit and having very carefully considered the submissions from both parties in this complaint, I do not think there are sufficient grounds to instruct Greenwood Personal Credit to amend the credit file.

I appreciate Ms C will remain unhappy with my decision but I do not believe there are sufficient grounds to uphold this complaint.

my final decision

My final decision is that I do not uphold this complaint and I make no award or instruction against Greenwood Personal Credit Limited.

Mark Hollands
ombudsman