

## **The complaint**

Mrs A complains that Cabot Credit Management Group Limited has pursued her for a debt that was included in a completed IVA.

## **What happened**

Mrs A has explained that she was in an IVA that completed in September 2019. There were two credit card debts with a business I'll call M that were included in the IVA. Once the IVA completed, Mrs A was no longer responsible for making repayments to the credit card debts with M.

Cabot has explained that it had taken ownership of two credit cards in Mrs A's name from M in December 2016. Both credit cards had been closed in default by M.

Despite being included in a completed IVA in September 2019, Cabot continued to contact Mrs A by both letter and telephone. Earlier this year, Mrs A complained about the contact she'd received from Cabot and explained the credit card debts had been included in her completed IVA.

Cabot sent Mrs A a final response in April 2023 and upheld her complaint. Cabot confirmed that it should have marked the credit card debts as repaid in September 2019 when the IVA completed and apologised for contact it had made since that time. Cabot offered Mrs A £300 for the distress and inconvenience caused.

Mrs A referred her complaint to this service and it was passed to an investigator. They thought Cabot had made a fair offer to resolve Mrs A's complaint and didn't ask it to take any further action. Mrs A asked to appeal and said she didn't feel Cabot had been held accountable. As Mrs A asked to appeal, her complaint has been passed to me to make a decision.

## **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I've been reasonably brief in setting out the background above as all parties broadly agree about the timeline for Mrs A's case. I understand the two credit cards Cabot purchased from M were included in Mrs A's IVA. And Mrs A has provided evidence to show the in the IVA which completed in September 2019.

Cabot's final response also confirms it sent regular letters to Mrs A and called her to discuss both accounts. I can understand why Mrs A was upset to continue receiving contact from Cabot. But I haven't seen any evidence that Mrs A responded to Cabot's contact until earlier this year. And whilst I agree Cabot was acting in error, I can see it's apologised for the mistake and taken steps to ensure the contact stopped.

Cabot's confirmed both accounts have now been closed and contact with Mrs A has ceased.

Cabot also offered Mrs A £300 to apologise for its mistake. Whilst I understand Mrs A feel Cabot should be held accountable, our awards are consumer focused. That means we award a settlement that attempts to fairly reflect the impact of a mistake on the customer. Whilst I agree Cabot made a mistake over the course of several years, I'm satisfied it's resolved the underlying issued and made an offer that is a fair and reasonable way to resolve Mrs A's complaint. To put it another way, £300 is very much in line with what I would've told Cabot to pay, had no settlement been offered. As I think Cabot has already made a fair offer to resolve Mrs A's complaint that recognises the distress and inconvenience caused, I'm not increasing the award.

I'm sorry to disappoint Mrs A but as I'm satisfied Cabot has already agreed a settlement that is fair and reasonable in all the circumstances I'm not telling it to do anything else.

### **My final decision**

My decision is that Cabot Credit Management Group Limited has already agreed a settlement that is fair and reasonable in all the circumstances.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs A to accept or reject my decision before 15 September 2023.

Marco Manente  
**Ombudsman**