

## **The complaint**

Ms W complains that Capital One (Europe) plc (who I'll call Capital One) were unreasonable not to remove a credit marker they had reported to her credit file.

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat them again here. Instead, I'll focus on giving my reasons for my 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 know it will disappoint Ms W, but I don't think Capital One have done anything wrong here.

Where the information I've got is incomplete, unclear, or contradictory, as some of it is here I have to base my decision on the balance of probabilities.

I've read and considered the whole file, but I'll concentrate my comments on what I think is relevant. If I don't comment on any specific point it's not because I've failed to take it on board and think about it but because I don't think I need to comment on it in order to reach what I think is the right outcome.

The Information Commissioners Office Principles for the Reporting of Arrears, Arrangements and Defaults at Credit Reference Agencies says that lenders that supply data to the Credit Reference Agencies (CRA) are required to ensure that the data is accurate, up to date and meets agreed quality standards.

That appears to be the case here. Ms W was required to make a payment of £117.71 by 8 April 2022 but payment wasn't made until 3 May 2022.

The terms of the account explain that the bank may report information about the conduct of the account to the CRA's.

So, I can't say that Capital One have been unreasonable to do so. They didn't have to agree to Ms W's request to remove the marker

## **My final decision**

For the reasons I've given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms W to accept or reject my decision before 12 January 2024.

Phillip McMahon

**Ombudsman**