

## **The complaint**

Mr B is unhappy with the service he received from Fintern Ltd surrounding their rejection of his loan application, including that they implied that he had a gambling addiction.

## **What happened**

Mr B applied to Fintern for a personal loan, but his application was rejected. Mr B asked why his application had been rejected, and Fintern explained that it was because of potential gambling concerns. Mr B wasn't happy about this as he hadn't made many gambling recent transactions and he wasn't happy that Fintern had also sent him a link to a gambling assistance organisation. So, he raised a complaint.

Fintern looked at Mr B's complaint. They acknowledged that Mr B's recent gambling history wasn't such that it should have been of concern to Fintern or had been the primary factor in why his loan application had been rejected. Fintern apologised to Mr B for this and explained the actual primary reasons why his application had been declined. Mr B wasn't satisfied with Fintern's response and felt that Fintern should offer some form of apology payment for what had happened, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they felt Fintern's response to Mr B's complaint already represented a fair outcome to what had happened, and they didn't feel any form of apology or compensation payment was merited in this instance. Mr B remained dissatisfied, so the matter was escalated to an ombudsman for a final 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.

Fintern don't dispute that the initial explanation given to Mr B as to why his loan application had been rejected – that it was rejected on the basis of gambling concerns – was incorrect, and confirm that both that explanation and the accompanying link to the gambling assistance organisation should never have been sent to Mr B.

Fintern have apologised to Mr B for this, and they confirmed to him that their staff member that had made the mistake would receive training to mitigate against similar mistakes being made in the future. Fintern also provided Mr B with the correct factors that had been the primary reasons why his application had been rejected.

Mr B doesn't feel that Fintern's response here goes far enough, and feels that Fintern implicitly called him a gambling addict which he found to be upsetting. And because of this upset, Mr B feels that Fintern should make some form of apology or compensation payment to him.

I can appreciate how Mr B might have been upset at receiving the response from Fintern that he did. But I'm satisfied that Fintern's response to his resultant complaint – including the apology and the corrective information – already represents a fair outcome to what

happened here. And I don't feel that any form of apology or compensation payment is merited in this instance.

In arriving at this position I've considered the impact that Mr B being told his application had been declined because of potential gambling concerns may have had on Mr B. And I've also considered that while Mr B may have initially been given the incorrect reasons why his application had been declined, it was correct that his application had been declined. And having considered these points, I don't feel Fintern should be instructed to do anything more

Fintern provided Mr B with the correct reasons why his application had been declined when responding to his complaint. And they confirmed that on reassessment they still wouldn't be able to offer a loan to him. Mr B wasn't happy with Fintern's statement to that effect as he had already confirmed to Fintern that he no longer wanted a loan with them. However, I don't feel that it was unreasonable for Fintern to have confirmed to Mr B that the overall decision they'd initially made in regard to his earlier loan application was correct.

I realise this won't be the outcome that Mr B was wanting here, but ultimately I feel that the apology given to him by Fintern, along with the explanation of the mistake made by their staff member, already represents a fair and reasonable resolution to what happened here. And so, I won't be instructing Fintern to do anything more beyond that apology.

I realise this won't be the outcome Mr B was wanting, but it follows that I won't be upholding this complaint or instructing Fintern to pay any form of apology or compensation payment to him. I hope that Mr B will understand, given what I've explained, why I've made the final decision that I have.

### **My final decision**

My final decision is that I do not uphold this complaint

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 2 February 2023.

Paul Cooper  
**Ombudsman**