

## The complaint

Miss S complains that Chetwood Financial Limited trading as Live Lend ('Live Lend') irresponsibly gave her a loan that she couldn't afford.

## What happened

On 3 April 2022, Miss S applied for a loan with Live Lend. Miss S was given a £4,000 loan to be repaid over 72 months with a monthly cost of £118.68.

In 2023, Miss S complained to Live Lend to say that the loan shouldn't have been given to her because it wasn't affordable and that Live Lend ought to have made a better effort to understand her financial circumstances before providing her with credit.

Live Lend felt the lending was reasonable. Our investigator did not. Live Lend disagreed. So, the complaint was passed to me to decide.

I issued my provisional decision in respect of this complaint on 14 March 2024, a section of which is included below, and forms part of, this decision. In my provisional decision, I set out the reasons why it was my intention not to uphold Miss S's complaint. I set out an extract below:

*"I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. I've read and considered the whole file, but I'll confine my comments to what I think is relevant. If I don't comment on any specific point it's not because I've failed to consider it but because I don't think I need to comment on it in order to reach what I think is the right outcome in the wider context. My remit is to take an overview and decide what's fair "in the round".*

*Live Lend will be familiar with all the rules, regulations and good industry practice we consider when looking at a complaint concerning unaffordable and irresponsible lending. So, I don't consider it necessary to set all of this out in this decision. Information about our approach to these complaints is set out on our website.*

*Miss S's complaint is that Live Lend made credit available that was unaffordable. It's possible that Live Lend failed to make adequate checks before providing Miss S with credit. But even if that's true, I have seen insufficient evidence to think better enquiries would have caused Live Lend to think the loans were unaffordable.*

*Miss S's complaint is that Live Lend made credit available that was unaffordable. Live Lend has explained that it relied in part on information that Miss S provided at the time of application to assess affordability. Miss S completed a short income and expenditure exercise as part of the application. Miss S declared an income that was not modest both in itself and in relation to the modest loan amount. Live Lend cross referenced the declared income through an agency that checks that against payments made into Miss S's bank account. This check confirmed the declared income as being accurate. The income was sufficient to underpin such a modest loan amount. And I have considered the*

*monthly repayments in relation to the income Miss S declared at the time and I do not consider them to be automatically unreasonable.*

*Live Lend also carried out a credit search in Miss S's name to assess Miss S's level of debt at that time and to understand how she had been managing that debt. With that information and using their own scoring metric, Live Lend decided to agree to the loan.*

*The Live Lend checks showed that the extent of Miss S's existing borrowing was not such that it made any further lending automatically unreasonable. And Miss S's credit file was largely clean at the time of the loan application. When I say this, I mean that Miss S's management of her existing credit showed no recent history of CCJ's, defaults or any late payments.*

*So, it would have seemed to Live Lend from the information they had from credit reference agencies that, at the point that the lending decision was made, Miss S was affording her existing credit. And so, Live Lend were not put on notice of any reason not to agree the lending from that. And so, I don't think that the information that Live Lend had at the time of the lending decision, would have led them to feel they ought to make more searching enquiries of Miss S's expenditure.*

*It is not straightforward trying to determine affordability because Miss S has not been able to provide bank statements from the time in question. And I have not had sight of Miss S's credit report. So, I have not seen any evidence to undermine the checks that Live Lend did at the time of the lending.*

*So, having considered all the submissions made in this case, and in the absence of any extra evidence from Miss S to the contrary, I have seen insufficient evidence to think that more thorough affordability checks would have led Live Lend to think that the credit it provided Miss S was unreasonable.*

*I considered all the submissions made in this case. Having done so, I have not found sufficient evidence to uphold this complaint."*

I asked the parties to the complaint to let me have any further representations that they wished me to consider by 4 April 2024. Live Lend has responded to the provisional findings accepting them. Miss S has not acknowledged the provisional decision, made a further submission or asked for an extension to do so. I consider that Miss S has had time sufficient to have made a further submission, had she wished to do so. So, I am proceeding to my 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.

So, as neither party has provided any new information or argument for me to consider following my provisional decision, I have no reason to depart from those findings. And as I've already set out my full reasons (above) for not upholding Miss S's complaint, I have nothing further to add.

So, having looked again at all the submissions made in this complaint, I have still seen insufficient reason to uphold the complaint.

**My final decision**

For the reasons set out, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S to accept or reject my decision before 6 May 2024.

Douglas Sayers  
**Ombudsman**