

## **The complaint**

Mr A complains HSBC UK Bank Plc treated him unfairly when it recorded a False Application marker with Cifas (a fraud database). He'd like HSBC to delete the entry against him.

## **What happened**

A summary of what happened is below.

Mr A applied for an account, but after some checks the account was closed. Mr A couldn't understand why so he made a Data Subject Access Request to see what information was held about him. He saw HSBC had recorded a marker with Cifas for not disclosing an address he'd lived at whilst at university.

Mr A said he'd provided his residential address at his parents and not given his university address as he wasn't living there at the time of the application. And he said he always viewed his home address with his parents to be the place he'd lived at, since moving there in 2008. He hadn't changed his passport details either. He added that how he'd completed the application had been an honest mistake.

HSBC looked into this and forwarded information from Mr A to its relevant department to review. However, it considered the loading to be correct. Dissatisfied, Mr A asked us to take a look.

One of our investigators reviewed the complaint. She was satisfied there was enough to suggest Mr A hadn't given his university address as he had adverse data recorded against him at that address. She believed he'd deliberately withheld the information to improve his chances of getting an account. She also deemed HSBC closing the account reasonable in the circumstances.

Mr A didn't agree. He stressed he never classified going to university as moving out and reiterated there'd hadn't been any dishonesty. He accepted the bank was entitled to close the account but wanted a decision on the marker.

## **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.

Having done so, I've come to the same outcome as the investigator for broadly the same reasons.

Cifas is a fraud prevention database. Before making an entry with it, a firm must meet its "standard of proof" – which is that there are reasonable grounds to believe that a fraud or financial crime has been committed or attempted and that the evidence must be clear, relevant, and rigorous.

As part of the application the bank asked Mr A if he had more than one previous address in

the last three years, and to give details. I've considered what he's told us about not seeing university as moving out, but it is the case that he'd not only had another address during the relevant time, but he also knew he'd had credit in connection with it, and it was the subject of adverse credit information, because he's spoken about getting into difficulty and trying to repair his credit rating. These are significant matters, and whilst I'm sympathetic to the impact Mr A says this has had, I'm not persuaded these facts could reasonably be omitted due to an honest mistake. In light of this and considering the matter as a whole, I think HSBC had enough to record the marker it did. So, I won't be asking it to do anything further. I know this will be disappointing news for Mr A and I'm really sorry, but this now completes our review of his complaint.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 15 January 2025.

Sarita Taylor  
**Ombudsman**