

## **The complaint**

Mr M complains Commsave Credit Union Limited (“Commsave”) treated him unfairly when it recorded a false application marker against him on a fraud database. He’d like the entry deleted.

## **What happened**

Mr M applied for an account with Commsave in October 2022, but after it completed its checks, the application was declined. He then applied for a loan in 2023, which was approved.

Later in 2024, he made a Data Subject Access Request to see what information was held about him. He saw Commsave had recorded a marker with Cifas for not disclosing an address when applying for the account in 2022.

Mr M contacted Commsave about this. He said he’d not put a previous address because he was living at his mother’s house at the time of the application (after he’d been injured in May 2022) and there was nothing malicious or fraudulent about giving the information he had. Commsave investigated and forwarded information from Mr M to its relevant department to review. However, it considered the information it had filed to be correct and declined to remove the entry. Dissatisfied, Mr M asked us to look and highlighted that Commsave had given him a new facility after loading the marker, so none of this made sense.

One of our investigators looked at the case. She reviewed what Mr M had said along with Commsave’s evidence and found him linked to an address with adverse data recorded against him and during the time frame when he’d given it a different address. Looking at the circumstances, she concluded Mr M had deliberately withheld the information to improve his chances of getting a facility.

Mr M didn’t think the conclusions were fair. He said the address he’d given (his mother’s) was an address he was living at, and which matched his payslips, bank statements etc. He didn’t think any of this had been taken into consideration, including his health.

When the investigator didn’t change her mind, the case was put forward for a decision from an ombudsman, as part of the second and final stage of our process.

## **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.

Our service is an independent body which doesn’t act for either party. It’s our role to look at the evidence and give a decision based on the available evidence. I will address what I consider are the key points.

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, Commsave asked Mr M if he had lived at more than one address in the last three years, and to give details. I've considered what he has told us about his wage slips and bank statements all matching the address he was living at. But it's not disputed where he was living at the time of the application. The main point for Commsave was that there was another address linked to Mr M and crucially within the last three years (the period it asked him about). I've considered Mr M's circumstances, but I'm not persuaded he wouldn't have understood what Commsave was asking him in relation to his address history. There's no reasonable explanation why the address would have been omitted, unless done so knowingly.

On this occasion, the searches found data linking him to the other address during the relevant time, and which had adverse credit information against Mr M – these are significant matters. Mr M has questioned why Commsave gave him a facility in 2023 if this is the case, but that's a matter for its assessment of his application at the time. However, it doesn't mean it was originally wrong to file the marker.

In conclusion, I agree with the investigator, based on the available evidence and weighing that, I think Commsave had enough information to record the marker. So, I won't be asking it to do anything further. I appreciate this will be disappointing news for Mr M and I'm sorry this isn't the outcome he was hoping for, 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 M to accept or reject my decision before 21 April 2025.

Sarita Taylor  
**Ombudsman**