

The complaint

Mr E has complained American Express Services Europe Limited lodged a fraud-related marker on the industry fraud database, CIFAS, in his name.

What happened

Transactions on Mr E's account with Amex raised an alert. Amex asked Mr E to provide at least two months' bank statements showing his monthly salary payments. Mr E provided two statements for September and October 2024.

Amex felt these statements had been doctored and got hold of originals from Mr E's bank. They believed Mr E had provided fraudulent information to them so closed his account in line with their terms and conditions. They also lodged a marker on the industry fraud database in Mr E's name.

After discovering this, Mr E appealed Amex's decision. Amex said they didn't accept this as they had obligations to report what had happened to CIFAS. Mr E then brought his complaint to the ombudsman service.

Our investigator considered the evidence. This included Mr E's testimony that he'd made an error in providing these statements to Amex which he'd set up for other and personal reasons. However, our investigator felt that the facts remained that Mr E had provided fraudulent information to Amex, whether deliberate or not.

Still unhappy, Mr E has asked an ombudsman to consider his complaint.

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 reached the same outcome as our investigator. I'll explain why.

There is no dispute by either party that Mr E provided edited statements to Amex. Mr E says he did this in error whilst Amex believes that makes no difference and they can continue to lodge a marker despite Mr E's protestations.

Mr E has also shown that the balances on the statements do not differ from the verified statements provided by his bank. He believes, therefore, that he had nothing to gain from providing edited statements to Amex so this shows he must have been done this mistakenly.

If I believed Mr E provided edited statements in error, I could consider it fair and reasonable for the marker to be removed.

However, I'm not convinced.

Mr E has told us he provided edited statements to a work acquaintance to evidence their salaries were comparable. He was also keen to disguise exactly what his income was. This

is completely understandable although I have to wonder why he went to such steps to have someone else assist in the statement editing process and feel an obligation to share such personal information.

This behaviour suggests that Mr E is pretty careful and methodical. So I find it difficult to believe he'd make such an error in providing those edited statements to Amex. Particularly when he would have known that Amex were checking transactions on his account and that's why he was being asked to provide these statements in the first place. I believe it's most likely that the effort Mr E went to in getting his statements edited was, in fact, for Amex.

I therefore don't think it would be fair and reasonable to ask Amex to remove the CIFAS marker.

My final decision

For the reasons given, my final decision is not to uphold Mr E's complaint against American Express Services Europe Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 21 July 2025.

Sandra Quinn
Ombudsman