

## **The complaint**

Mr W complains that Lloyds Bank PLC won't refund the money he lost when he was the victim of a scam.

## **What happened**

In September 2023, Mr W saw a car he was interested in buying listed on an online marketplace. He contacted the seller and arranged to view it in person. And after viewing the car and carrying out some online checks on it, Mr W agreed to buy it and made a number of payments from an account he held with another bank to a Lloyds account he was given the details of by the seller.

Unfortunately, some time later, Mr W says he was trying to sell the car but was contacted by a prospective buyer who said there was outstanding finance on it. Mr W then contacted the finance company and ultimately a dealership who said they had sold a car of the same make, model and registration to someone else.

Mr W says the DVLA then told him its investigation showed his car was a clone, and so he arranged for the car he had to be scrapped. He then reported the payments he had made to Lloyds as a scam and asked it to refund the money he had lost.

Lloyds investigated but said it had found no errors in its handling of the account Mr W sent the payments to, so it didn't agree to refund the money he had lost. Mr W wasn't satisfied with Lloyds' response, so referred a complaint to our service.

One of our investigators looked at the complaint. They didn't think there was sufficient evidence that Mr W had been the victim of a scam or suffered a loss, so they didn't think it would be fair to require Lloyds to refund him. Mr W disagreed with our investigator, so the complaint has been passed to me.

## **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 don't think it would be fair to require Lloyds to refund the payments Mr W made here. I'll explain why below.

Before our service considers whether a bank has done enough to verify its customers and monitor accounts it holds, we must first be satisfied that the person bringing the complaint has been the victim of a scam and has suffered a loss. But despite requesting evidence from him on a number of occasions and giving him sufficient opportunity to provide it, I don't think we have enough information or evidence from Mr W here to safely conclude that the payments he has complained about were made as a result of a scam or that he has suffered a loss as a result of them.

Mr W says he didn't receive any formal or written communication at the time from either the police or the DVLA to inform him that the car in his possession was a clone. He's now sent our service a copy of an email he's said he received recently from the DVLA which says its investigation showed the car in his possession was a clone and that it had sent a report to the police. But I've still not seen any record of any communication Mr W had with the police after the DVLA told him this.

Mr W also says he scrapped the car he had in his possession immediately after the DVLA told him it was a clone. But I think this was quite unusual action to have taken – particularly so quickly after speaking with the DVLA, when it hadn't told him to do so and when he doesn't appear to have received any communication from the police. Mr W also initially told our service he couldn't remember the details of who or where he scrapped the car. And while he has now provided a text message from someone who says they scrapped it, I'm not satisfied this is sufficient evidence that the car was scrapped.

I appreciate that the events Mr W has complained about all took place some time ago now. But I don't think it's unreasonable to expect him to have been able to provide more complete information or evidence of the circumstances than he has been able to. And, based on what we do have available, I don't think we have clear evidence that the circumstances surrounding the payments were as he has described or that he has suffered a loss as a result of the payments he has complained about.

So I don't think it would be fair for me to require Lloyds to refund the payments Mr W has complained about here.

### **My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 27 June 2025.

Alan Millward  
**Ombudsman**