

The complaint

Miss S has complained that AutoMoney Limited trading as AutoMoney Motor Finance won't remove a fraud marker it loaded against her in respect of a finance agreement she'd applied for.

What happened

The circumstances of the complaint are well known to the parties so I won't go over everything again in detail. But to summarise, Miss S applied for a hire purchase agreement with AutoMoney in April 2021. The application didn't complete. Towards the end of 2024 Miss S said she'd recently checked her credit file and found AutoMoney had loaded a fraud marker against her name. She contacted AutoMoney and explained around the time she applied for the finance she had a mental health episode which led to the decision. She asked to appeal.

AutoMoney responded to say it reviewed its records and believed the loading to be justified. It said it had reviewed Miss S's payslips, along with the application and telephone calls related to the application.

Miss S decided to refer the complaint to the Financial Ombudsman. She said she understood AutoMoney had a responsibility to report inconsistencies, but she was experiencing illness at the time she applied and she thought the six-year fraud marker was too severe. She said it had implications on her life moving forward.

One of our investigators thought AutoMoney had loaded the fraud markers fairly. He'd asked for payslips from Miss S to compare the ones provided to AutoMoney but hadn't received a response.

Miss S later responded to reiterate that under the symptoms she was experiencing at the time of the application she wasn't aware of her actions and found it very difficult, especially during the Covid-19 pandemic, to manage. She said it was "a one off and there is no continual repeated offenses since this episode". She also provided some medical records.

As things weren't resolved, the complaint has been passed to me to decide.

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.

I want to acknowledge I've summarised the events of the complaint. I don't intend any discourtesy by this – it just reflects the informal nature of our service. I'm required to decide matters quickly and with minimum formality. But I want to assure Miss S and AutoMoney that I've reviewed everything on file. And if I don't comment on something, it's not because I haven't considered it. It's because I've concentrated on what I think are the key issues. Our powers allow me to do this.

I'm sorry to hear Miss S has been unwell. And I appreciate having the fraud marker on her file would be upsetting and distressing. Like our investigator pointed out, I'm not here to make a finding on Miss S's actions, I need to consider how AutoMoney has acted.

Miss S applied to acquire the car using a hire purchase agreement and our service is able to consider complaints relating to these sorts of agreements.

In order for AutoMoney to have loaded a marker it needed to operate within the terms of the National Fraud Database Handbook which sets out certain principles of use. So AutoMoney needed to have reasonable grounds to believe a fraud or financial crime had been committed or attempted, with clear, relevant and rigorous evidence. The conduct needed to meet the criteria for one of the case types, and AutoMoney needed to have rejected withdrawn or terminated a product unless it had an obligation to provide it, or the subject had already received the full benefit. I think AutoMoney was also required to retain its evidence for the period the marker was active.

Miss S hasn't disputed something went wrong with the application. But she's said she was unwell at the time and it was a one off. Having carefully considered the evidence AutoMoney relied on, I don't find I can say its concerns or decision to load the marker were unfair. I think it's evidence and decision to load the marker followed the principles within the handbook mentioned above because I think it had valid concerns regarding the payslips Miss S submitted. While I appreciate Miss S said the impact is too severe, I have to bear in mind that AutoMoney followed the relevant guidelines and the loading period is set centrally.

I've reviewed the further evidence we've been supplied. Miss S has provided evidence of being signed off work for stress in 2022 and 2023. While I'm sorry to hear that, even if I were to accept Miss S was unwell at the time of the application in 2021 and was, for example, off work for stress, I don't think that'd give me the grounds to direct AutoMoney to remove the marker.

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 Miss S to accept or reject my decision before 28 October 2025.

Simon Wingfield

Ombudsman