

### **The complaint**

Mr H is unhappy that Plata Finance Limited are pursuing him for a loan that he says was taken out in connection with a scam.

### **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide an overview of some of the key events here. In November 2024 Mr H says he was the victim of a cryptocurrency investment scam that he first found through social media and had believed to be a genuine opportunity.

Mr H says that as a result of the scam, he was coerced into taking out loans, one of which was with Plata Finance. He says it was actually the scammer who keyed the loan application by using device sharing software. He would like the loan to be written off.

Plata Finance say that they made two phone calls to Mr H prior to agreeing the loan. On one of these calls he told them that the loan was for home improvement, specifically to be used towards a home extension. They also say they sent emails and text messages (prior to paying out the loan) warning that if the loan was actually being used towards cryptocurrency, then it would be a scam. Ultimately, they agreed the loan for £20,000 which was paid into Mr H's account with 'L' on 28 November 2024.

Mr H says the loan funds were then sent on and lost to the scam. When he realised what had happened, he reported this to Plata Finance. Plata Finance sympathised with Mr H being a victim of crime. They agreed to write off all the interest associated with the loan (around £9,000) and to only seek repayment of the £20,000 itself. Mr H remained unhappy and referred the matter to our service. One of our Investigators didn't recommend that the complaint should be upheld. In summary, she didn't think Plata Finance had acted unfairly or that they needed to do more. Mr H disagrees and has asked for an Ombudsman to review 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 and for largely the same reasons. I appreciate that being a victim of a cruel scam has had a significant impact on Mr H. But despite my natural sympathy for him as a victim of crime, my role requires that I remain impartial. Being tricked into agreeing to take out a loan, doesn't automatically entitle Mr H to have Plata Finance write off the lending.

I find the phone calls (prior to the loan being agreed) and which were made to the same mobile phone number that Mr H has used to communicate with our service to be persuasive evidence. In those calls it was clear that Mr H had knowledge of the loan and played an

active role in the application. So even if I accept the application was keyed by a scammer, I think it's more likely than not that this was with Mr H's knowledge and consent. It follows that I don't think it was unreasonable for Plata Finance to conclude that Mr H had entered into the agreement with them to borrow the money they paid out. I appreciate Mr H likely was pressured and influenced by the scammer. But this doesn't mean he didn't agree to the borrowing in question. Further to this, Plata Finance sent appropriate warnings, prior to agreeing the loan, and Mr H sounds confident and assured on the calls I've listened to. I don't think Plata Finance reasonably should've concluded he was in the process of being scammed or that there were other failures in them agreeing the loan that means they shouldn't seek to recover it.

Plata Finance paid the £20,000 into Mr H's account with L. It appeared on his statement as 'Plata Finance Ltd, PlataLoan...'. It was then moved on from that account the following day. As I've mentioned above and as a gesture of goodwill, Plata Finance have said they will only pursue Mr H for the £20,000 that they paid into his account – they've written off any associated interest and charges. I can't say they've treated him unfairly in agreeing to do this.

I'm of course sorry to hear that Mr H lost money to a scammer. But I don't think Plata Finance have treated him unfairly in the circumstances of this complaint. And so I can't fairly require them to do more to resolve this complaint.

### **My final decision**

For the reasons outlined above, 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 H to accept or reject my decision before 25 December 2025.

Richard Annandale  
**Ombudsman**