

## The complaint

X complains that Monzo Bank Ltd ('Monzo') registered a Cifas marker against him without due cause.

## What happened

The circumstances of this complaint are well known to both parties, so I will not go into every detail of what happened here. But, in summary, in October and November 2024, X received four credits into his account which were subsequently reported as having been sent as a result of fraud. Some of the funds were sent on through a money remittance service, some by faster payment and some remained in X's account. Following on from the reports, Monzo reviewed X's account and reached out to him. Monzo said X provided false information and then failed to respond to it, so it closed X's account and referred him to Cifas who placed a marker against him.

X was not happy, and complained to Monzo. He said that he had been approached by a friend who had offered him a job opportunity which involved sending funds to the friend who was abroad. He said the friend ran a company and didn't have a UK account so he would be receiving funds from UK clients and sending them on to him, earning commission. He said that when Monzo had asked him about the payments on the first occasion, his friend had instructed him to not be entirely honest with Monzo. He said he later did not respond to Monzo because he was stressed.

Monzo declined to uphold his complaint, as it said that it had taken the decision to maintain the Cifas loading after reviewing the circumstances surrounding his complaint.

X remained dissatisfied, so he escalated his concerns to our service. One of our investigators looked into what had happened and did not recommend that X's complaint be upheld. In summary, they said that given inconsistencies in the evidence they thought that Monzo's decision to retain the Cifas marker was fair and reasonable in the circumstances of the 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.

The type of Cifas marker that Monzo asked Cifas to apply here is for 'misuse of facility' – relating to the account being used to receive and send on fraudulent funds. In order to file such a marker, Monzo are not required to prove beyond reasonable doubt that X is guilty of fraud or financial crime, but they must show that there are grounds for more than mere suspicion or concern that such an offence took place. Cifas guidance says:

- *“There must be reasonable grounds to believe that an identified fraud or financial crime has been committed or attempted; [and]*
- *The evidence must be clear, relevant and rigorous.”*

So, the relevant findings for me to make are whether I believe there is sufficient evidence to conclude that on balance the money sent to X was sent as a result of fraud, and that he was deliberately dishonest in relation to this, such that Monzo fairly and reasonably escalated their concerns to Cifas. I do think Monzo were entitled to do so. I'll explain why.

It does not appear to be in dispute that X's account was used to receive and send on fraudulent funds. The sending account holders complained that they were tricked into sending the funds as a result of fraudulent activity. And whilst X originally claimed to be entitled to these funds as they were sent by friends or family – for his birthday and a 'personal thing', he has now confirmed that he only said this because his friend had told him to. So, it does not appear that X is asserting that he has a legitimate claim to these funds any longer.

So, the remaining point of contention is whether X received these funds as an unwitting victim himself, or whether he was deliberately dishonest with regards to the receipt and movement of these funds. To conclude this, X would not need to have been the perpetrator of the scam himself, or even know the exact provenance of the funds. But I would need to conclude that he had acted with deliberate dishonesty, which I think it is more than likely that he did. I'll explain why.

Whilst I appreciate that X has provided some evidence that supports that he was acting on behalf of someone else, this does not absolve him of responsibility here. And the evidence provided of the chats with the person are incomplete, despite Monzo and our service asking for the complete chat records. So, I cannot say with certainty what X knew about the funds before any of them came into his account, or exactly what was agreed.

There are inconsistencies between X's testimony and the evidence he has provided. X told our service that after Monzo queried the first payment and he was advised to lie to them by his friend, he had concerns and so tried to not send more funds. He said that he told his friend there were issues with his bank and they were not allowing him to process payments. But it is clear that X did receive and send on fraudulent funds after the first payment. But despite his legitimate concerns, X continued to receive and move on the funds and benefit from them himself as he did not send on all that he received. He was not truthful with Monzo when they questioned him for a second time. The final fraudulent payment was not sent onto a third party at all, so it appears he was the only one who benefitted from this, mostly through card payments.

X had opportunities to be honest with Monzo, and decided not to be. I appreciate that he says he lost his wallet and so was very stressed which is why he did not respond to Monzo when they got in touch the final time. And I understand that X said the friend told him what to say before. But it was ultimately for X to decide what he told Monzo, and he chose not to be honest with them here.

So, when considering everything, I find that Monzo acted fairly and reasonably in escalating their concerns to Cifas and will not be asking them to do anything in this case.

### **My final decision**

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask X to accept or reject my decision before 23 October 2025.

Katherine Jones  
**Ombudsman**