

The complaint

Mrs H complains that J.P. Morgan Europe Limited trading as Chase has wrongly recorded information with a fraud prevention agency.

What happened

In November 2024 Mrs H opened a bank with Chase. A few months later, Chase reviewed the account and in March 2025 closed it immediately, with no notice given. Later in June 2025, another bank also closed an account Mrs H had too. When she looked into this Mrs H discovered that when Chase had closed her account it had also recorded a 'misuse of facility' marker with CIFAS – a fraud prevention database.

Mrs H complained to Chase about this as she felt the marker had been recorded wrongly. Chase responded to say that it had followed the appropriate procedures in closing her account and in recording the marker with CIFAS. Mrs H was unhappy with this and referred her complaint to this service.

One of our investigators looked into this for her and felt that Chase was entitled to record the marker it had with CIFAS. Mrs H disagreed, saying that she hadn't knowingly taken part in any fraudulent activity and that at the time the marker had been applied, her personal circumstances meant that she didn't notice or engage with Chase about the marker until she discovered it had been recorded in June 2025. Mrs H asked for her complaint to be reviewed by an ombudsman.

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 marker that Chase filed with CIFAS here is intended to record that there's been a 'misuse of facility' – relating to using the account to receive fraudulent funds. In order to file such a marker, CIFAS isn't required to prove beyond reasonable doubt that Mrs H is guilty of a fraud of financial crime, but it must show that there are grounds for more than mere suspicion or concern.

On its website, CIFAS 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 such that the member could confidently report the conduct of the subject to the police.”*

What this means in practice is that Chase must first be able to show that fraudulent funds entered Mrs H's account, whether they were retained or passed through the account. Secondly, Chase will need to have strong and persuasive evidence to show that a consumer was deliberately dishonest in receiving the fraudulent payment and knew it was, or might be, an illegitimate payment. But a marker shouldn't be registered against someone who was unwitting; there should be enough evidence to show deliberate complicity. There's also a requirement that Chase should be giving the account holder an opportunity to explain their version of events.

So, I need to consider whether, based on all the information including the evidence Mrs H has submitted Chase had sufficient evidence to meet the standard of proof and load a marker for misuse of facility with CIFAS. Having looked at all the information provided, I'm satisfied it did.

I say this because I've seen that Mrs H's account received a payment from a third party in February 2025 and Chase then received a report from another bank saying that the money Mrs H had received was in connection to a scam. So there was credible evidence that Mrs H had received money as a part of a scam.

The money that credited Mrs H's account was then quickly withdrawn into another account in her name. That supports that Mrs H was more likely than not complicit and involved in receiving the payment here and that there was likely an element of financial gain for her.

The requirements around banks recording markers at CIFAS include there being sufficient evidence that the customer was aware and involved in what was going on. When I weigh everything up, I think this most likely exists here from reviewing all of the evidence

Chase tried to contact Mrs H to ask her further details about the payment here, but she didn't respond. Mrs H says that given her personal circumstances at the time, which involved the preparation for her wedding and travel plans, she didn't respond to its attempts to contact her. I've also considered the messages that Mrs H has sent us that she says were exchanged with a third party that she says was the party behind the payment here.

Mrs H's timeline around this has been, at times, contradictory. And the messages she has provided don't look like a complete record of what was discussed between her and this party. So even if Chase were able to contact Mrs H when it tried, I'm not persuaded this would have led to a different outcome here. I say this because I think it's most likely she allowed her Chase account to be used for receiving fraudulent funds. I've considered all that Mrs H has said about the impact this marker has had on her, but where I'm satisfied that Chase was entitled to record the marker it did with CIFAS, it follows that I can't ask Chase to remove it.

My final decision

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 15 January 2026.

James Staples
Ombudsman