

## **The complaint**

Miss B complains that Gain Credit LLC trading as Lending Stream lent to her irresponsibly.

## **What happened**

Miss B took two loans from Lending Stream. Loan 1 was taken in August 2024 for £550 and paid off 28 March 2025. Loan 2 was taken in April 2025 for £1,000. In July 2025 this was outstanding and in arrears. Miss B says that she was already in a debt management plan (DMP) when she applied for the loans and was having to deal with a gambling issue.

Miss B complained and received Lending Stream's final response letter (FRL) in July 2025.

After the complaint had been referred to the Financial Ombudsman Service, one of our investigators looked at all the details and evidence and did not think that Lending Stream needed to put things right for Miss B. She disagreed and the unresolved complaint was 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.

We've set out our general approach to complaints about unaffordable or irresponsible lending on our website, and I've taken this into account in deciding Miss B's case.

I've decided the credit was provided fairly because:

- I think the checks Lending Stream did before providing the credit were reasonable and proportionate given the loans amounts it offered and what it knew about Miss B's financial situation. Miss B's income was enough to cover the expenditure amounts and the credit costs about which it had researched and added the detail to its calculations. Miss B can see from the table at the end of the FRL that it did increase her declared expenditure figures. I do not set them out in this decision as both parties have got that FRL.
- Lending Stream's checks showed that Miss B did have defaulted/delinquent accounts, but the most recent default applied had been 24 months before Loan 1. And as Lending Stream is a lender used to providing credit to individuals with adverse credit data, and as it was two years ago, I do not consider that this would have prompted any additional searches before lending to Miss B. And at Loan 2, although it had noticed a further delinquent account marker, it's not likely to have suggested to Lending Stream that Miss B had financial issues and therefore more checks were needed.
- Based on the information Lending Stream gathered and what it knew about Miss B's circumstances, there was nothing to suggest Miss B was unable to sustainably repay what she was being lent.
- There's no regulatory requirement for Lending Stream to have asked for and reviewed bank account statements or bank transaction lists. And so, although Miss B thinks it ought to have done that, on the details I've seen for this complaint, I do not

consider Lending Stream needed to obtain them. Therefore, it would not have discovered Miss B's spending habits.

- On the gambling, as I've already said, it would have been disproportionate for Lending Stream to have obtained copy bank account statements and so would not have seen what Miss B spent her money on. And there's no evidence that Miss B informed Lending Stream of her gambling or the DMP.
- I don't think Lending Stream acted unfairly in any other way.

This means I don't think Lending Stream did anything wrong when it provided the loans to Miss B.

I've also considered whether the relationship might have been unfair under s.140A of the Consumer Credit Act 1974. However, for the reasons I've already given, I don't think Lending Stream lent irresponsibly to Miss B or otherwise treated her unfairly. I haven't seen anything to suggest that s.140A or anything else would, given the facts of this complaint, lead to a different outcome here.

I know this isn't the outcome Miss B hoped for. But for the reasons above, I'm not asking Lending Stream to do anything to put things right.

### **My final decision**

My final decision is that I'm not upholding Miss B's complaint about Lending Stream.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 19 February 2026.

Rachael Williams  
**Ombudsman**