

## **The complaint**

Mr G complains that Interactive Brokers (U.K.) Limited (IBL) allowed him to purchase a non-qualifying investment in his Individual Savings Account (ISA) which caused him a financial loss.

## **What happened**

In April 2025 IBL contacted Mr G to say that a position in his account didn't meet the qualifying ISA rules set out by HMRC. They said the position must be removed within the next two weeks or it would be closed on his behalf. IBL said Mr G should close the positions and that he could then re-open them in a regular non-ISA investment account.

Mr G complained to IBL who didn't uphold the complaint. IBL apologised to Mr G for what happened and said they would refund any commission incurred in the trade. They also offered to waive any commissions should Mr G wish to reopen the position in his general investment account.

No action was taken so IBL closed the position.

Mr G brought his complaint to this service where one of our Investigators looked into what happened.

They thought IBL had provided reasonable actions as a solution to the problem.

Mr G disagreed saying IBL should cover his financial losses as they never should've allowed him to purchase a non-qualifying investment and that anything after the purchase should be void and illegal.

Because an agreement couldn't be reached the complaint has been passed to me for a decision.

## **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.

Mr G has provided a lot of information about the complaint and it's clear how strongly he feels about what happened. I want to assure Mr G that I've read and considered everything that has been submitted even if I don't mention it all in detail. I've summarised some things which reflects the informal nature of our service.

I agree with Mr G that IBL shouldn't have allowed him to open a non-qualifying position in his account. However, it's not my role, nor the role of this service, to punish a business for any mistakes that are made. IBL have apologised for what happened and gave options about how to fix the problem. And having looked at everything, I'm satisfied IBL acted fairly and reasonably by giving those options when trying to put things right.

IBL said that Mr G could close the position at a time and method of his choosing before the

final date they gave. They went on to say that they would refund any commission incurred if he chose to reopen the positions in his general investment account. Neither of these options were taken up so IBL closed the position as they said they would do.

Mr G was given two weeks to action the position which in these circumstances I think was a reasonable timeframe. Mr G contacted IBL the day after he was notified about the issue and a final response was issued two days later. This still gave sufficient time for action to be taken on the position.

The terms and conditions of the account and client agreement allow IBL to liquidate any non-qualifying positions – and this is what happened. Mr G said he never signed off anything or was never informed that non-qualifying positions could be liquidated. Agreeing to terms and conditions, as well as a client agreement, is a standard part of an account opening procedure.

Closing non-qualifying positions in an ISA is an industry standard action under HMRC rules. And IBL made this clear when they contacted Mr G. So I won't be making an award for any financial loss that Mr G says he has incurred.

What happened did cause Mr G some trouble however I don't think it was such an inconvenience that a monetary award is warranted. To make an award I would need to be persuaded that what happened was more than the usual type of frustration and annoyance that is to be expected in everyday life. IBL gave Mr G the option to liquidate the position himself which is a fairly straightforward task that wouldn't have taken an unreasonable amount of time had it been actioned.

Having carefully considered everything that happened I'm satisfied IBL treated Mr G fairly and reasonably when offering options for the unqualifying position in the ISA. I know Mr B feels the problem shouldn't have happened in the first place, and I don't disagree that the situation was annoying, however IBL presented options to fix the issue which I think were reasonable. So I won't be asking IBL to take any further action.

### **My final decision**

For the reasons I've explained above my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 9 February 2026.

Warren Wilson  
**Ombudsman**