

The complaint

Mr A has complained American Express Services Europe Limited lodged a fraud-related marker on the industry fraud database, CIFAS, in his name.

What happened

Mr A opened a business card account with Amex in 2024 after already holding a personal account with them. In May 2024 Amex undertook a periodic review of Mr A's business account. They blocked his usage and asked for copies of Mr A's business bank statements. Mr A altered one of these statements, which he says he did under stress and without intent.

Amex noticed the balance available to Mr A was incorrect based on the transactions. As they could see this statement had been edited, they told Mr A they were closing both of his accounts. They also lodged a fraud-related marker on the CIFAS database confirming they'd received fraudulent information from Mr A.

Mr A found that his accounts were being closed, and he found it increasingly difficult to access credit. In 2025 Mr A asked Amex to remove the marker. Amex confirmed they'd not made any error and refused to remove the marker.

Mr A brought his complaint to the ombudsman service.

Our investigator noted Mr A did not dispute altering this statement but felt the result was disproportionate to what he'd done. However, she felt that as it was clear a fraudulent statement had been provided, Amex had met the standard for lodging a CIFAS marker.

After receiving the view, Mr A has asked an ombudsman to review his complaint. He continued to stress the impact this was having on him and how a marker was disproportionate to what he'd done.

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. I'll explain why.

It is clear what the requirements are prior to lodging a marker. Specifically:

“There must be reasonable grounds to believe that an identified fraud or financial crime has been committed or attempted.

The evidence must be clear, relevant and rigorous.”

Amex must be able to provide clear evidence that an identified fraud was being committed, and Mr A was involved. This means that they must have more than a suspicion or a concern that Mr A may be involved.

No party to this complaint disputes the evidence. Mr A altered a statement that he provided to Amex. I've seen this evidence and have noted both Amex and Mr A's submissions. When Mr A provided this statement, Amex were conducting a review of his account. I think it would be fair to surmise that Mr A felt he needed to provide evidence that showed his business accounts in a more advantageous position.

Mr A has argued that he altered the statement whilst he was under stress, and any changes were unintended. I don't believe him.

Statements cannot really be altered without intent. So, I'm satisfied that Mr A knowingly did this and intended to provide false information to Amex.

Mr A has also argued that there was no harm in what he did. This rather suggests that it didn't matter to him that Amex may be making a financial decision – specifically to ensure Mr A had a specific credit limit available to him – and could lose by that decision if it was based on fraudulent information.

Mr A has sent us pages constructed most likely with the assistance of AI which he may think argues his case that Amex's action is unfair and disproportionate.

That isn't the case. When considering whether a CIFAS marker should be loaded, any decision made by a bank or financial institution should be based on evidence. It's not basing that decision on whether it will have an impact on the customer.

I'm satisfied based on the evidence that Mr A knowingly changed his statement with fraudulent intent.

In accordance with the rules about lodging a marker, I have no choice but to accept that Amex acted properly. On this basis, I don't believe it would be fair and reasonable to ask Amex to remove the CIFAS marker.

My final decision

For the reasons given, my final decision is not to uphold Mr A's complaint against American Express Services Europe Limited.

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

Sandra Quinn
Ombudsman