

The complaint

NewDay Ltd, trading as Marbles Card, provided Mr L with a credit card in 2023. It had a credit limit of £900. Mr L says the credit was provided irresponsibly.

What happened

The details of this complaint are well-known to both parties, so I won't repeat them here. The facts aren't in dispute, so I'll focus on giving the reasons for my 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.

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 Mr L's case.

I've decided the credit was provided fairly because:

- I think the checks Marbles did before providing the credit were reasonable and proportionate given the credit limit it offered and what it knew about Mr L's financial situation.
- Mr L declared an annual salary of around £55,000. Marbles' checks showed Mr L had a low level of existing debt and information provided by a credit reference agency showed no adverse markers, indicating he was managing his existing accounts well.
- Based on the information Marbles gathered and what it knew about Mr L's circumstances, there was nothing to suggest Mr L was likely to be unable to sustainably repay what he was being lent.
- I don't think Marbles acted unfairly in any other way.

This means I don't think Marbles did anything wrong when it provided the credit card to Mr L.

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 Marbles lent irresponsibly to Mr L or otherwise treated him 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 Mr L hoped for. But for the reasons above, I'm not asking Marbles to do anything to put things right.

My final decision

My final decision is that I'm not upholding Mr L's complaint about NewDay Ltd, trading as Marbles Card.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 26 March 2026.

David Barker
Ombudsman