

The complaint

Mr D is unhappy AutoMoney Trust Limited trading as AutoMoney Motor Finance (“AMF”) has recorded a fraud prevention marker against him, following an application for car finance.

What happened

Mr D applied for car finance in around October 2023 via a broker. He says he submitted documents to the broker including copies of his bank statements and ID.

AMF received an application for Mr D to take out finance but declined the application after checking the documents. It recorded a fraud prevention marker against Mr D in October 2023 for “*False application – facility refused*”.

Mr D says he found out about the fraud marker around January 2026 and complained to AMF. AMF said it thought the fraud marker had been fairly applied because there were discrepancies in the bank statement Mr D’s broker had provided. It said Mr D’s bank had confirmed his account didn’t receive the wages shown on the copy he provided, and the running balance also didn’t match its records.

Mr D says all his documents were genuine, and any manipulation must have been carried out by the broker. So, he brought his complaint to our service. Our Investigator didn’t think AMF had treated Mr D unfairly, as it had contacted Mr D’s bank to verify the bank statement. She had compared the statement Mr D said he sent the broker to the one AMF received and thought they were the same. So, she thought AMF had fairly applied the fraud marker.

Mr D disagreed. In summary, he said the evidence hadn’t been forensically tested, and there wasn’t proof of intent. He argued that AMF therefore hadn’t met the criteria to load the fraud marker. As the Investigator didn’t change her mind, Mr D asked for a final decision on his complaint.

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 agree with the outcome reached by the Investigator – and I’ll explain why.

Mr D has made several detailed points in response to the initial outcome on the complaint. I’ve considered everything he’s said and all the information on the file. But in my decision, I don’t intend to refer to everything or address every point made. I mean no discourtesy by this, instead I will focus on what I see as being the key outstanding points following the Investigator’s outcome, and the reasons for making my decision.

Requirements to load the fraud marker

AMF reported a fraud marker for “*False Application – facility refused*” as it says it received bank statements from Mr D’s broker that had been altered. For context, there are certain standards set out in the National Fraud Database Handbook in order to satisfy members that they can make a loading like this. These standards include:

- There are reasonable grounds to believe that fraud or a financial crime has been committed or attempted.
- Evidence must be clear, relevant and rigorous.
- The conduct of the Subject must meet the criteria of one of the Case Types set out by the fraud agency.
- The Member must have rejected, withdrawn or terminated a product because of fraud, unless the member has an obligation to provide the product or the subject has already received the full benefit of the product.

In short, this means AMF can’t apply a fraud marker when it merely suspects fraud. It needs to have clear, robust evidence to support a financial crime has been committed or attempted, and that Mr D was wittingly involved. But I think it’s important to stress AMF doesn’t need to go as far as proving this beyond all reasonable doubt.

Evidence available at the time

AMF received the application from Mr D’s broker, and as part of the process it carried out a series of checks on the information provided. This included verifying Mr D’s bank statements, so AMF could be satisfied the agreement would be affordable for him.

AMF contacted Mr D’s bank electronically and provided the statement from the broker. Mr D’s bank responded, highlighting two concerns on the statements:

- A transaction showing income from Mr D’s company didn’t appear on the bank’s records.
- The running balance of Mr D’s statement didn’t match the bank’s records.

As Mr D’s bank highlighted fraud concerns, AMF declined the application and loaded the fraud marker. It says it tested the evidence by contacting the bank, and as it had more than a mere suspicion of fraud, this was enough to load the marker.

I also contacted Mr D’s bank to clarify why it told AMF the statement was altered. The bank told me the statement Mr D sent his broker is different to the corresponding bank statement for the account on its own records – and provided evidence to support this.

While I understand Mr D says his document is genuine, I think it was fair for AMF to rely on the information from Mr D’s bank at the time it loaded the fraud marker. I appreciate Mr D thinks AMF needed to contact him at the time of the loading, to ask for more evidence and allow him a chance to challenge it. There might be circumstances where it’s fair for a financial business to contact a consumer before making the loading, but I think AMF had enough evidence to satisfy itself the marker was fair at the time.

As I’ve also explained above, AMF didn’t need to prove beyond doubt that Mr D had attempted fraud either – so I wouldn’t expect it to forensically examine the statement he provided.

Mr D argues that AMF didn't have evidence to show he was a willing participant to a fraud attempt, and he's said he thinks the broker made the alterations. Our service asked Mr D to provide a copy of the bank statement and ID he sent to the broker. I've reviewed these documents carefully alongside the ones AMF received from his broker, and I'm satisfied both the statements and photo of the ID are the same. So, I think it was reasonable for AMF to conclude any alterations to the statement were made before the statement was sent to the broker.

The altered statement meant AMF had more than a mere suspicion of fraud or a financial crime being attempted. It had also tested the evidence by reaching out to Mr D's bank. As Mr D submitted the bank statement, he was responsible for making sure it was accurate and genuine. Having taken all this into consideration, I think AMF could reasonably demonstrate Mr D's conduct met the case type for "*False Application – facility refused*". So, I think AMF did enough to support its decision to load the fraud marker.

Other considerations

I've also thought about whether there's other information AMF now knows that might mean it's fair to reconsider the fraud marker.

Around the same time, two other financial businesses registered fraud markers on the database, also for false applications. I don't have all the details for these loadings, but the fraud markers both refer to a problem with a bank statement submitted as part of the applications.

I'm not making a finding about the other fraud markers or financial businesses in this decision. But I think it's fair for AMF to have concerns that two other firms also received false applications at around the same time.

I don't think Mr D has provided any new evidence to AMF for it to reconsider the fraud marker. While I know this will come as a disappointment to Mr D, I don't think AMF has treated him unfairly.

I would remind Mr D that our involvement, if Mr D chooses not to accept the outcome of this final decision, doesn't prevent him from pursuing other ways of resolving the matter.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 14 May 2026.

Hannah Dunkley
Ombudsman