

The complaint

Mr A complains Revolut Ltd unfairly recorded a marker against him at Cifas, a national fraud database. He wants the marker removed.

What happened

Mr A held an account with Revolut. Mr A has explained that he used his Revolut account to receive payments for items that he sold via well-known online marketplace platforms.

On 23 May 2025, Mr A received a payment for £85.00 from an individual I will refer to as H. He also received another payment for £70.00 from an individual I will refer to as V. Mr A transferred some of the money to a third party.

The banks from which the payments had come, notified Revolut its customers, H and V had reported fraud. Revolut sent Mr A an in-app questionnaire asking him to explain why he'd received the two payments and to provide it with evidence of his entitlement to the money. Mr A told Revolut the money were gifts.

Revolut reviewed what Mr A provided and following this decided to close Mr A's account. Revolut also loaded a misuse of facility marker at Cifas against Mr A as it thought the activity on the account suggested he'd been complicit in receiving fraudulent funds.

Mr A discovered Revolut had loaded the marker when he tried to open another account with a different bank. Mr A contacted Revolut to understand why. In response, Revolut asked Mr A to tell them why he'd received the payments from H and V.

Mr A told Revolut he had received the payments for items he'd sold. To back up his explanation Mr A gave Revolut screenshots of payment confirmations he had from H and V. Mr A said he couldn't remember any details of the items he had sold and no longer had any messages with H and V as the platforms he used don't keep messages.

Revolut reviewed everything but didn't think it had made a mistake. And said it wasn't willing to remove the Cifas marker.

Mr A came to us because he didn't think Revolut had been transparent with him. He believed he'd been treated poorly. He said he doesn't have any record of what he sold to H and V as they were low value personal items conducted informally. Because of the small amounts involved, he did not keep item descriptions, listings, photographs, and has no other records relating to the transactions.

One of our investigators reviewed the complaint but he didn't find Revolut's decision to apply the marker unfair. Overall, he didn't find Mr A's explanation credible as to why funds had been paid into his account and believed the evidence Revolut had provided enough to demonstrate he'd been complicit in receiving fraudulent funds.

Mr A disagreed with the assessment and asked for an ombudsman to review his complaint. So, the matter has come 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.

I think it's important to firstly explain I've read and taken into account all of the information provided by both parties, in reaching my decision. I would like to highlight that I've taken into account Mr A's very detailed submissions about what has happened. I say this as I'm aware I've summarised Mr A's complaint in less detail than he has. If I've not reflected something that's been said it's not because I didn't see it, it's because I didn't deem it relevant to the crux of the complaint. This isn't intended as a discourtesy to either party, but merely to reflect my informal role in deciding what a fair and reasonable outcome is. This also means I don't think it's necessary to get an answer, or provide my own answer, to every question raised unless I think it's relevant to the crux of the complaint. Our rules allow me to do this.

I would add too that our rules allow us to receive evidence in confidence. We may treat evidence from financial businesses as confidential for a number of reasons – for example, if it contains information about other customers, security information or commercially sensitive information. Some of the information Revolut has provided is information that we considered should be kept confidential. This means I haven't been able to share a lot of detail with Mr A, but I'd like to reassure him that I have considered everything.

The marker that Revolut has filed is intended to record that there's been a 'misuse of facility' – relating to using the account to receive fraudulent funds. To file such a marker, it's not required to prove beyond reasonable doubt that Mr A is guilty of a fraud or financial crime, but it must show that there are grounds for more than mere suspicion or concern.

The relevant guidance says, there must be reasonable grounds to believe that an identified fraud or financial crime has been committed or attempted, and the evidence must be clear, relevant, and rigorous.

What this means in practice is that a bank must first be able to show that fraudulent funds have entered Mr A's account, whether they are retained or pass through the account. Secondly, the bank will need to have strong evidence to show that Mr A was deliberately dishonest in receiving the fraudulent payments and knew they were, or might be, illegitimate payments. This can include allowing someone else to use their account to receive an illegitimate payment. But a marker should not be registered against someone who was unwitting; there should be enough evidence to show complicity.

To meet the standard of proof required to register a fraud marker; the bank must conduct checks of sufficient depth and retain records of these checks. This should include giving the account holder the opportunity to explain the activity on their account to understand their level of knowledge and intention.

Whilst I'm satisfied Revolut did provide Mr A with an opportunity to explain why he'd received the money from H and V I think it could have explored things a lot further and before making the decision to register the marker against Mr A. With this in mind, I can see the investigator asked Mr A to provide any information he had about his entitlement to the money he received from H and V and what he did with it.

In response, Mr A told us that he was selling personal items. He has provided screenshots showing confirmation of payment from H and V. And details of his online selling accounts with two platforms. But he hasn't been able to provide anything else.

Based on Mr A's response, I think if Revolut had asked Mr A more about the payments it's likely that he would have provided the same information to them. So, I need to consider whether based on all the information including the evidence Mr A has submitted to us, whether Revolut had sufficient evidence to meet the standard of proof and load a marker for misuse of facility with Cifas

Revolut says it received two fraud reports from other banks relating to the payments he received from H and V. I've reviewed these. I can see that following the investigator's assessment there's been some debate about whether the report concerning the payments was fraud. Mr A says he received the payment for legitimate sales. But there's no indication these claims were retracted. The customers whose accounts were debited reported that they never received the goods they paid Mr A for and couldn't get in touch with him after they'd sent him payment. Mr A transferred the funds to a third party – so he appears to have benefitted from fraudulent funds.

I've thought about what Mr A has said about why he was expecting to receive these payments. And I've looked at all the evidence he's provided, which includes the screenshots he's sent. However, I don't find what he's said persuasive. I say this because the screenshots Mr A has supplied only confirm payments were sent by H and V – and that's not what is in dispute here. Mr A hasn't been able to show what he sold H and V or that they received whatever it was he sold them. So, I can't conclusively say Mr A delivered the items he says he sold to them.

The fraud reports that H and V made to their banks confirm that they had paid for an item and service from Mr A and did not receive anything in return for the money they sent Mr A. I can also see from the fraud report that V made they explained to their bank that they'd been trying to contact Mr A, but he'd blocked them from doing so. H told their bank a similar story. That they'd paid Mr A for an item that they never got. And then couldn't get hold of Mr A. I find it unlikely that two separate unconnected individuals would make such similar reports if they had no basis to do so.

I think it's possible that Mr A did set up a proper business involved in reselling, so I considered whether Mr A was also the victim of a scam. Except that I can't see where or how he was scammed since I can't see him delivering the items and service H and V paid for. Mr A has said that he regularly sold goods. So, I am surprised that he didn't retain evidence of this activity, as these sales can be subject to disputes. It's possible that Mr A no longer has the evidence of the sales as he's said, but without anything tangible to show he acted in good faith, I'm unable to say he was unwitting. I've also kept in mind that when Revolut first asked Mr A why he'd received money from H and V he told Revolut the money was a gift – which is very different to what he's told our service. This makes me doubt the credibility of Mr A's explanation about why he received the payments.

Because of this I can understand why Revolut had concerns about the legitimacy of the funds and I'm satisfied with the actions they took at this time – which was, loading a Cifas marker against Mr A and eventually closing the account.

Unfortunately, like Revolut I'm not convinced the funds were payment for personal items as Mr A has suggested. I must reach a decision based on the evidence and I'm afraid I don't find what Mr A has said about why he received the payments from H and V plausible. And there were fraud reports about these payments. Thinking about this and the other evidence, which Revolut has shared with us in confidence about how Mr A was operating his account, I'm satisfied Revolut had enough information to justify recording the marker.

In summary, having looked at all the evidence I'm satisfied this shows there were reasonable grounds to suspect that fraud had been committed. And from evidence I've seen that Mr A was likely complicit in this. So, on this basis I didn't think it would be fair or reasonable to ask Revolut to remove the marker.

My final decision

For the reasons I've explained, 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 A to accept or reject my decision before 18 May 2026.

Sharon Kerrison
Ombudsman