

complaint

Mr and Mrs G complain that Accord Mortgages Limited made an entry about them on a fraud prevention database when it rejected a mortgage application they'd made.

background

Mr G already had a mortgage. He approached a broker in 2017 to discuss re-mortgaging and adding Mrs G to the mortgage. I'll call the broker's firm F, and I'll call the adviser they spoke to M.

Mr and Mrs G say M asked them for their bank statements, and for permission to obtain their tax records. She then applied to Accord for a mortgage.

Mr and Mrs G say Accord asked for more information about their finances, which they provided. A few days later, they say M told them that Accord was asking for more information – which M considered was excessive, so she was withdrawing the application. M said she would approach a different lender instead, but Mr and Mrs G say they decided to use a different broker.

In 2018, Mr G says he applied for further finance, but was rejected. The lender advised him to contact CIFAS, a fraud prevention database. Mr G made a subject access request to CIFAS and discovered that Accord had recorded an entry in the database about him.

Mr G complained to Accord. He says he also visited F to find out what had happened, and was told that M had been dismissed from the firm for gross misconduct. F said it believed that she had not been following the firm's procedures and had been manipulating documents – without applicants' knowledge – before submitting them to lenders. But it didn't provide evidence this had happened in Mr and Mrs G's case.

Accord said it thought the marker had been added fairly. It said it had followed its standard checks and hadn't been able to confirm the information Mr and Mrs G had provided. It said it continued to have concerns about what it had been told, and didn't think it would be right to remove the CIFAS entry.

Our investigator didn't think Accord had acted unfairly, so Mr and Mrs G asked for an ombudsman to review the complaint.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Like all lenders, Accord considers information and evidence it receives in respect of a mortgage application. It carries out its standard underwriting checks to try and confirm the accuracy of what it's told and to decide whether it wants to lend. It's important to note that there's no obligation to lend – and there's no obligation to give reasons for a refusal, either.

I've looked at the information Accord received in respect of this mortgage application. I've taken into account what Mr G has said about his discussions with M, and I've also taken into account the information F has given us. I've also looked at the discussions Accord had with

M, and with Mr G directly, as part of the application. And I've considered the very different income information Mr G later gave our investigator.

Having done so, I think Accord had reasonable concerns about the information it was given as part of the application following the checks it carried out. The information from F doesn't show that M was dismissed for any irregularities on Mr and Mrs G's application specifically. And it's recorded in Accord's application notes that Mr G was also involved in discussions with Accord directly – and M wasn't the only member of F's staff that submitted information to Accord.

Accord considered what both F and Mr G said, as well as the outcome of its underwriting checks. Having done so, it didn't think it needed to remove the CIFAS entry. In all the circumstances, I don't think I can say that was unreasonable, and so I don't uphold this complaint.

my final decision

For the reasons I've given, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs G to accept or reject my decision before 29 November 2019.

Simon Pugh
ombudsman