

## **complaint**

Mr and Mrs S complain about the way Wise One (UK) Ltd handled mortgage applications for them.

## **Background**

Mr and Mrs S instructed Wise One as their mortgage broker around May 2017. They say Wise One asked them for copies of their company's accounts but didn't return all of the documents they sent it. Around the same time Mrs S was a victim of identity fraud. Mr and Mrs S have suggested that Wise One might be responsible for losing other personal information of theirs – given the lack of care it showed with their company documents. So they think Wise One might be responsible for causing the identity fraud. And they are unhappy that Mr S's company's information was lost.

Mr and Mrs S are also unhappy that two mortgage applications submitted through Wise One were unsuccessful. They say Wise One used the wrong application process for contractors – which they think is clear from the fact they've been able to get a mortgage since moving to another broker.

Our investigator didn't think Mr and Mrs S's complaint should be upheld. He said there wasn't enough evidence to link Wise One with the identity fraud or to suggest Wise One lost the company account documents. And he didn't think Wise One had used the wrong application process.

Mr and Mrs S disagreed with the investigator and asked for an ombudsman to look at their 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.

Mr and Mrs S say they sent Wise One their company's accounts for both 2014 and 2015 but only received one set back. They've given us evidence showing that when they sent the accounts the package weighed 200g. Yet they say the package they received back only weighed 107g so it's clear something was missing. Wise One says it never received the 2014 accounts and it's checked this with the person that opened the package.

I recognise the trouble it sounds like Mr and Mrs S went to to check the two packages were different weights. But I've only seen a certificate of posting showing the weight of the package Mr and Mrs S sent, not one for what they received. And while it's entirely possible that Wise One may have misplaced the accounts, I've not seen enough evidence to make me think this happened. Neither have I seen enough to link Wise One with the identity fraud Mrs S was the victim of.

Mr and Mrs S say that their mortgage applications would've been successful if Wise One had used a different application process for contractors. They say they wouldn't have had to provide company accounts (which showed a loss on the most recent accounts), only evidence of Mr S's salary and dividends. On the other hand, Wise One says there aren't separate underwriters for contractors. It says the lenders' underwriters have a specialised knowledge of the criteria for contractors and Mr S was unable to meet their lending requirements.

I've not been given copies of all communication between Wise One and the two lenders. So I don't know everything that each lender asked for. But I have checked the lending criteria for intermediaries for both lenders (guidance on what should be submitted with an application). There *are* different information requirements for contract workers depending on their circumstances. But both of the lenders' criteria say that applicants in Mr S's circumstances should be considered as self-employed and applications should be submitted on that basis. The evidence doesn't lead me to think there were special underwriters that Mr and Mrs S's application should've been sent to.

The lenders' criteria for self-employed applicants do say that company accounts OR an HMRC Tax Year Overview can be sent as evidence of income. So it looks like Wise One didn't *have* to send company accounts. But I've seen evidence that shows one of the lenders specifically asked to see the last two years of company accounts after Wise One had submitted Mr and Mrs S's application. So it looks like this lender had its own concerns with the information it had received, not that Wise One had used the wrong application process or sent the wrong information.

I've not seen anything from the other lender showing why the mortgage application with it wasn't successful. Wise One says it was the same issue again in that the lender asked for recent company accounts and Mr and Mrs S didn't want to supply them. Given the lending criteria I've already outlined and the evidence from the other lender asking for company accounts, I've no reason to doubt this. Plus, it's clear from the lending criteria that the documents Mr and Mrs S say should've been submitted wouldn't have been enough. So it seems most likely the other lender would've asked for company accounts too.

Wise One could've just submitted salary and dividends – as Mr and Mrs S have suggested. After all a broker can provide any supporting documents it wants. But ultimately it's up to the lender what it asks for. And it looks like the lenders would still have asked for the company accounts anyway.

I'm pleased Mr and Mrs S were able to secure a mortgage eventually. But I don't think this shows Wise One did something wrong. Different lenders have different criteria so I can't be sure their successful application was subject to the same information requirements as their unsuccessful ones.

So, overall, having considered all of the relevant evidence and arguments I've not seen enough to make me think Mr and Mrs S's complaint should be upheld. .

**my final decision**

For the reasons I've explained above, my final decision is that I don't uphold Mr and Mrs S's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs S to accept or reject my decision before 5 March 2018.

Michael Ball  
**ombudsman**