

complaint

Miss G complains that Bank of Scotland plc trading as Halifax placed an adverse marker on the Cifas database after rejecting her mortgage application.

background

Miss G applied, jointly with another person, for a mortgage with Halifax, via a broker. Halifax issued an initial agreement in principle, but then later withdrew it. The bank had conducted a credit search which revealed Miss G had a historic sequestration (the Scottish term for bankruptcy) and other adverse credit data on her record.

As Miss G had not disclosed this on the mortgage application, Halifax reported to Cifas that a potentially fraudulent application had been made. Halifax has since removed the marker, but Miss G believes it should never have been placed to begin with.

The adjudicator didn't think Halifax had done anything wrong. Miss G has asked for an ombudsman to decide her complaint.

my findings

In asking for a review of the adjudicator's findings, Miss G hasn't presented any material new argument or evidence. Rather, she is looking to me to reach a different conclusion from the adjudicator on the same evidence. 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'm afraid I must disappoint Miss G again.

I've no reason to believe Miss G set out deliberately to present a mortgage application based in incorrect information. Nonetheless, that's what happened, and because of that Halifax was entitled to reject the application, and make the report to Cifas.

Once the doubt arose over whether Miss G knowingly misled the bank, it was also appropriate that Halifax remove the marker. There's nothing else I can fairly require the bank to do.

my final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Miss G to accept or reject my decision before 23 April 2015.

Jeff Parrington
ombudsman