

## **complaint**

D complain that TSB Bank plc (TSB) registered a Credit Industry Fraud Avoidance System (CIFAS) record against them when they declined a business account application.

## **background**

Mr J is the owner of a company called D. He recently made a subject access request (SAR) and discovered that TSB had reported to CIFAS that he'd failed to tell them about an address he'd lived at where there was adverse credit history. He says he didn't live at this address at the time and had given the bank details of the address he actually lived at in London. He also says the bank didn't ask him about other addresses. Mr J says the bank's actions have affected his application for other financial products and he wants TSB to remove the adverse record and compensate him for the trouble he's experienced.

TSB say they've done nothing wrong. They say that they asked Mr J about any other addresses when he made his application but he didn't declare any. And they say that the address he didn't declare had been used to register for significant credit that had been defaulted and that this was therefore important information. They therefore believe they were right to report it to CIFAS.

Mr J disagreed with TSB's comments so he referred his complaint to this service but our investigator agreed with TSB. She said that whilst Mr J couldn't remember being asked about any other addresses she was convinced he would've been and as there was adverse credit history registered at the address Mr J didn't declare. So she thought TSB had reported the facts correctly.

But Mr J disagreed. He said he hadn't been using any other address and he insisted the advisor at TSB hadn't asked him about other addresses either. He also said that TSB should only have reported information to CIFAS if they suspected fraud and this wasn't the case. He asked for a decision by an ombudsman.

## **my findings**

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

I know this is an important issue for Mr J and my decision will disappoint him but I agree with the investigator's opinion and for similar reasons. I'll explain why.

Banks record information on CIFAS in order to minimise the risk of fraud – often this can happen when, as in this case, the information from a customer doesn't match the details it has on record. In this case the bank identified a linked and undisclosed address that had been associated with significant adverse credit. In that case their procedures would rightly insist they report the issue to CIFAS.

Mr J says he wasn't asked about other addresses during the application process but TSB say they would have done so. There's no formal record of the question being asked but I think it would be unusual for the bank not to ask that question. And if they didn't ask the question, it would seem strange for them to have subsequently reviewed previous addresses recorded on Mr J's credit file. So I think it's most likely that TSB did ask Mr J about his previous addresses and as he didn't tell them about one that would have been very

important when making their decision I think they reported factually and correctly to CIFAS and I don't think they've done anything wrong.

**my final decision**

For the reasons given above I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J on behalf of company D to accept or reject my decision before 22 January 2018.

Phil McMahon  
**ombudsman**