

complaint

Mr W, who is represented by his father, complains Lloyds Bank PLC closed his account and registered his details with CIFAS.

background

Mr W's father opened an account for his with Lloyds Bank. Mr W's father says that his son noticed transactions that he had not carried out or authorised on his account after Lloyds Bank told him he had gone overdrawn. He says that Lloyds Bank held his son liable for these transactions, closed his account and registered his son's details with CIFAS. His son is now having difficulties opening another account.

Mr W's father complained to Lloyds Bank on behalf of his son but the complaint was not upheld. He, therefore, complained to us. His complaint was that Lloyds Bank should not have registered his son's details with CIFAS.

Our adjudicator did not recommend that this complaint be upheld. Mr W's father disagreed. He said, amongst other things, that our adjudicator had not taken into account the fact that his son had reported his card stolen. An ombudsman was asked to review this complaint.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

I have seen evidence that a £850 payment into Mr W's account was a fraudulent payment. I accept this evidence. I have also seen evidence that Mr W's genuine card and PIN was used to carry out transactions after that money was paid in. Again I accept this evidence. Those transactions were larger than ones Mr W typically carried out. I agree, based on the evidence that I have seen, that Lloyds Bank was entitled to hold Mr W liable for those transactions.

The individual who paid the £850 into Mr W's account and who made the disputed transactions more likely than not obtained the details they needed about Mr W and his account as well as his genuine card and PIN with Mr W's knowledge. In the circumstances, Lloyds Bank was entitled to register Mr W's details with CIFAS saying that he had misused his facility as there is enough evidence to support this. In short, I agree with our adjudicator that this complaint should not be upheld.

my final decision

My final decision is that I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr W to accept or reject my decision before 20 April 2015.

Nicolas Atkinson
ombudsman