

complaint

Miss J complains that Lloyds TSB Bank Plc has unfairly concluded that she was aware that a credit paid into her Individual Savings Account (ISA) with it was not legitimate. Lloyds TSB closed Miss J's accounts with it and Miss J says that she is now experiencing difficulty opening a new bank account.

background

Miss J had received payments into her current account from her family, which lives abroad. She received a payment into her ISA, which she says she assumed was a payment she was expecting from her family. She transferred it into her current account.

The credit was subsequently discovered to have been made fraudulently, and was reversed. Miss J says that she had no idea the money was not a genuine payment to her, and wonders whether it may have been put into her ISA by mistake by Lloyds TSB.

Whilst Miss J does not dispute that Lloyds TSB could close her accounts with it, she wants it to remove any registration about her relating to the fraudulent credit.

An adjudicator investigated the complaint. She was not satisfied that Miss J should reasonably have believed that the fraudulent credit was from her family. In all the circumstances, the adjudicator considered that Lloyds TSB had been entitled to register information with the relevant agencies and did not consider that Miss J's complaint should succeed.

my findings

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

Looking at the credit that appeared in Miss J's ISA, I am not immediately clear why she saw no reason to question it. I see that it was made to a different account, and was from an entirely different name source, from the payments that she had previously received from her family.

Miss J has provided information to us about potential ways in which she believes a third party might have obtained details of her current account, but none of this explains how they were also able to obtain details of her ISA account.

I am satisfied, on balance that the fraudulent credit was intentionally sent to Miss J's ISA account. I do not consider that it was credited because of a mistake by Lloyds TSB. In all the particular circumstances of this complaint, I do not consider that Lloyds TSB was wrong to register the information about why it decided to close Miss J's account, or that it must now remove that information.

my final decision

Given my findings, my final decision must be that I do not uphold this complaint.

Jane Hingston
ombudsman