

## **The complaint**

Mr A is unhappy that Bank of Scotland plc trading as Halifax didn't uphold his complaint after he says he was the victim of a scam.

## **What happened**

The events surrounding the payment have remained unclear, as Mr A has provided several different versions to both Halifax and the lender. But ultimately a loan was taken out in Mr A's name, credited to his Halifax account and then he forwarded the funds on from there.

The lender issued a final response saying; Mr A had said a loan was fraudulently applied for in his name and he had no knowledge and did not consent to this. He also confirmed he had applied for the loan and was contacted via social media by someone offering grants to students, and he was asked to transfer these loan funds to them. The lender reviewed the initial loan application which had Mr A's genuine mobile number. A PIN was sent to that mobile number which had to be entered during the application process. In addition to that an email address was required, the loan was confirmed over the phone and a loan contract sent by email. It went on to consider what Mr A had said about being scammed and wrote off the interest for the loan, but held him liable to repay the capital.

Mr A raised a scam claim with Halifax. It looked into the matter and said the loan was initially paid in error and it needed to be returned, then Mr A reported that as a scam to the bank. Later he recalled that statement, saying it hadn't been a scam and he had forgotten he had applied for the loan and sent the money on, relating to the purchase of a car. Then Mr A later said he was contacted by someone saying they could offer a student grant and to send the money on for this purpose. Overall, it didn't uphold Mr A's complaint, it said the matter should be considered by the lender and it would not be providing a refund.

We looked into it and said we didn't think Halifax made any error in allowing the loan funds to be sent from C's account. And Mr A hasn't suffered a loss from his account from Halifax as the funds were from a loan. Our investigator went on to say Mr A had applied for the loan and the loan funds were applied to his account, he then sent those funds on. Whilst she didn't have all the facts about the events, she didn't think the payment out of Mr A's Halifax account was unusual or suspicious that it warranted intervention. And Halifax hadn't recorded negative information about Mr A.

Mr A wasn't happy with the outcome. He said he's out of pocket and these events were having an impact on his mental health and finances.

As Mr A wasn't happy with the outcome of his complaint, it was passed to me. Prior to issuing a final decision I contacted Mr A and said that I hadn't seen any evidence to support his claim that the payment from his Halifax account was the result of a scam. And his version of events had changed three times when he'd contacted both Halifax and the lender. So, with that in mind, I wasn't persuaded that Halifax ought to offer a refund here.

I invited Mr A to provide any further evidence he may have to support his claim that he was scammed.

Mr A replied saying he was the victim of a scam. He added a further explanation for this, saying he was sent promising trades which he fell for. He hasn't provided any supporting evidence.

### **What I've decided – and why**

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 am not upholding this complaint. Mr A has now provided an additional explanation of the events. This is again different to the other three versions of events that have preceeded.

Mr A hasn't provided any evidence to support any of the versions of events he has presented to either our service, Halifax or the lender. As such I'm not persuaded by Mr A's claim that he was the victim of a scam. And I am therefore not recommending that this complaint be upheld.

### **My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 4 September 2023.

Sophia Smith  
**Ombudsman**