

## **The complaint**

Mr R is a sole trader, trading as P. He complains that Revolut Ltd didn't do enough to prevent the loss he suffered when he sent a payment to one of its customer's accounts because of a scam.

Mr R has used a representative to bring his complaint, but for ease of reading, I'll mostly just refer to and will ascribe the representative's comments to Mr R.

## **What happened**

The background to the complaint is known to both parties and so I won't repeat it at length here.

In February 2023 Mr R was sadly the victim of a 'safe account' scam, which resulted in him transferring a sum of £16,000 from P's bank account held with 'C' to an account held with Revolut. When Mr R realised he'd been scammed, he reported this to C, who in turn contacted Revolut, but unfortunately by that time only a small amount remained in the recipient's account, which Revolut returned to C. This sum was returned to P's account.

Mr R complained to Revolut that it had likely failed: to meet its obligations when allowing its customer's account to be opened; in its monitoring of the recipient account; and in its response when notified of the fraud. He asked that it refund his loss. Revolut didn't uphold Mr R's complaint. The matter was referred to our service. Our Investigator concluded as there had been no failure by Revolut which had resulted in a loss to Mr R, it didn't need to do anything further to resolve the complaint. Mr R did not accept the Investigator's assessment and asked that an Ombudsman review the case.

## **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 agree with our Investigator and for essentially the same reasons.

Mr R has been the innocent victim here. So, I can see why he thinks that Revolut could've done more to help. I appreciate from his perspective, why he has questions about the recipient account, and I understand he would like to know where the payments went from Revolut. But I'm restricted to how much of this information I can share with him as it relates to someone else's account. And my role here is limited to deciding whether, in the circumstances of this complaint, it would be fair and reasonable to ask Revolut to refund Mr R's loss.

I've carefully considered Revolut's actions when opening the account, and I'm satisfied that there weren't any failings by it when doing so. I recognise the account has since been used to receive fraudulently obtained funds, but from what I can see, Revolut couldn't reasonably have foreseen this at the point at which it opened the account.

Further, having looked at the operation of the account since opening (which to confirm wasn't the same day as Mr R's funds were received), and its expected and intended use, I can't say that it was unreasonable, in this case, for the observed account activity to have not given Revolut cause for concern that its account was being used to receive fraudulently obtained funds. Mr R questions if Revolut conducts "*CoP checks*" on incoming payments. I presume he asks this question to gauge whether Revolut ought to have identified that the beneficiary details on the payment instruction were different to those of the recipient accountholder. However, at the time of the payment, there was no requirement, on receipt of a payment, for Revolut to check whether their accountholder's name matched the named beneficiary on the payment instruction. Ultimately, I'm not persuaded that there has been a failing by Revolut in the monitoring of its customer's account which has caused a loss to Mr R.

Finally, by the time Revolut was notified of the scam, its customer had already removed most of the money from their account. So, there wasn't much Revolut could do to prevent Mr R's loss in this way either. I'm satisfied upon receipt of notification of fraud from C, Revolut took timely and appropriate steps, and it returned the funds that were left in the recipient account at that time.

I sympathise with Mr R for the situation in which he finds himself. But as I'm not persuaded his loss is as a result of failings by Revolut, there isn't a reasonable basis upon which I can direct it to do more to resolve this complaint.

### **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 26 February 2024.

Sonal Matharu  
**Ombudsman**