

## **The complaint**

Mrs T complains that PayPal (Europe) Sarl et Cie SCA has declined to refund two payments she says she didn't make or allow anyone else to make.

## **What happened**

In April 2023, two online payments were made using Mrs T's PayPal account totalling over £650. Mrs T says she didn't make these payments or know about them.

PayPal declined to reimburse Mrs T on the basis that it had concluded the payments were authorised. In summary it said there was no evidence to support her account being fraudulently accessed; her genuine personal and contact information were used to make the purchases and a new pin sent to Mrs T's mobile number was used as part of logging into her account. PayPal also highlighted evidence it held in relation to the visitor ID and IP addresses used that day as consistent with previous usage.

Mrs T said that the goods purchased were collected rather than delivered to her address, and that she couldn't have done this as she was away working at the time.

When Mrs T brought her complaint to our service, the investigator didn't uphold it. In summary they said PayPal had acted fairly in holding Mrs T liable for the payments.

Mrs T didn't agree, she said she hadn't received any emails or text messages that had been referred to. She said PayPal should use the IP address to find who made the payments.

So, the matter has been passed to me for a decision by an ombudsman.

## **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'm not upholding this complaint. I'll explain why.

Where evidence is incomplete, inconclusive or contradictory, I reach my decision about the merits of this complaint on the balance of probabilities – in other words, what I consider is most likely to have happened in light of the available evidence and wider circumstances.

Here, Mrs T says she didn't authorise the payments made using her PayPal account – so I need to consider whether PayPal has acted fairly in concluding that she did. As part of this I've needed to determine whether, on balance, it's more likely than not Mrs T consented to the payments – this could be by making them herself or allowing someone else to.

The evidence provided shows that messages were sent to Mrs T's genuine email address and mobile phone number. And that only someone with access to her SMS messages could have logged into PayPal that day. So, on the evidence available I find it unlikely that an unknown third party made these payments. I appreciate Mrs T has provided screenshots of her account, however emails can be deleted and it isn't our role to forensically investigate

devices.

Mrs T says she didn't collect the goods herself, but this isn't enough for me to conclude she didn't consent to the payments.

IP addresses can't be used in the way Mrs T is suggesting, they identify geographical areas and can be spoofed. So, I haven't put a significant weight on this evidence (but I note the IP addresses aren't inconsistent with Mrs T's address). Rather I have placed more weight on the evidence showing whoever made these payments had access to Mrs T's devices and in particular the use of a PIN sent to her mobile number. I note no explanation has been provided as to how that could have happened without Mrs T's knowledge.

So, on the evidence available, I don't think PayPal has acted unfairly in concluding Mrs T is liable for the payments.

I understand that PayPal has now sought to recover the funds from Mrs T and therefore may have reported the status of her account to credit reference agencies. For clarity, I haven't made a finding on these points as part of this complaint.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 18 December 2024.

Stephanie Mitchell  
**Ombudsman**