

## **The complaint**

Miss W complains Contis Financial Services Limited is holding her liable for disputed transactions she didn't carry out or authorise.

## **What happened**

Miss W had an account with Contis Financial Services which it has now closed. Before that she had an account with a business who I'll refer to as "S" throughout the rest of this decision.

On 12 April 2024 Miss W contacted Contis Financial Services to say that there were 138 transactions on her account totalling around £6,000 that she didn't recognise. The transactions occurred between the end of November 2023 and January 2024 and some appeared to involve payments for goods and services abroad. Miss W asked for a refund and said that she was unhappy that Contis Financial Services hadn't alerted her to what she says was unusual activity on her account.

Contis Financial Services looked into Miss W's claim and said that all of the transactions had been authorised and authenticated by her as far as it could see. In the circumstances, it didn't agree that it should be refunding them. Nor did it agree that the transactions were unusual or concerning enough for it to have alerted her. Miss W was unhappy with Contis Financial Services' response and ultimately complained to our service.

One of our investigators looked into Miss W's complaint and said that Contis Financial Services hadn't acted unfairly holding Miss W liable for the transactions. Miss W disagreed and asked for her complaint to be referred to an ombudsman for a decision. Her complaint was, as a result, passed to me.

## **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.

Miss W opened an account with S in November 2022 and that account was closed at the end of April 2024. Her account was closed, according to S, because Miss W raised an excessive number of chargebacks within a short span of time. I've seen statements from Miss W's account with S and I can see that she used the account on a very frequent basis, making lots of small transactions and often multiple transactions in a single day. The activity on her account with Contis Financial Services is similar to her account with S – lots of small transactions. I'm satisfied, in other words, that her account with Contis Financial Services was run in line with Miss W's normal usage.

I accept, notwithstanding what I've just said, that there are a large number of unusual looking transactions on Miss W's account with Contis Financial Services. I've looked into some of those transactions and it's possible that some are as a result of Miss W having been scammed. Equally, for example, I've seen transactions that appear to be payments to overseas online casinos. More importantly, however, I'm satisfied that when Miss W reported

the fact that there had been a large number of transactions on her account that she didn't recognise that Contis Financial Services looked into her claim in detail. Having done so, I'm satisfied that Contis Financial Services concluded that all of the transactions had been authenticated using one-time passcodes sent to Miss W's registered email address or mobile phone number – having checked the number was up to date – and from IP addresses that, for example, matched genuine transactions she'd done. I can't say, based on the investigation that Contis Financial Services did, that it acted unfairly when it said that it was going to hold Miss W liable on the grounds that she must have carried out the transactions herself or authorised someone else to do so or shared her details. In the circumstances, I agree that it hasn't acted unfairly.

### **My final decision**

My final decision is that Contis Financial Services Limited didn't act unfairly when it held Miss W liable for the transactions she's disputed. In the circumstances, I can't uphold her complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss W to accept or reject my decision before 19 December 2024.

Nicolas Atkinson  
**Ombudsman**