

## **The complaint**

Miss D complains Revolut Ltd refused to refund her for unauthorised transactions on her account.

## **What happened**

The facts of this case are well known to both parties, so I won't repeat them in detail here.

In summary, Miss D says her card was not returned to her after she used it to pay for a meal in New York on 5 May 2024. She didn't realise at the time, but after checking her account on 6 May 2024 she noticed around 19 transactions she didn't authorise, and additional attempted transactions. She notified Revolut straight away and would like it to refund the fraudulent transactions.

Revolut didn't respond to our initial request for evidence. Following the initial uphold view it responded with evidence of how the transactions were authorised and its reasons for defending the claim. It says based on the activity around the time it thinks Miss D was aware of the disputed transactions but failed to contact it until the next day. So Revolut has held Miss D responsible.

Miss D also complained about the service received from Revolut following the complaint. Specifically, that it suggested obtaining a police report would change the outcome, and also that she was given inconsistent evidence about why her claim was rejected.

As mentioned above our investigator upheld Miss D's complaint and suggested Revolut pay her £100 compensation for the distress and inconvenience caused. Revolut maintain Miss D should be held responsible. We asked Revolut for some further information about their reason to defend this complaint and some supporting evidence. At the time of writing no further evidence has been received, so I will consider this case on the evidence and information already on file.

## **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.

A consumer should only be responsible for transactions made from their account that they've authorised themselves. Miss D has said she didn't give any permission for the transactions in dispute to be made but Revolut believes she did. My role then is to give a view on whether I think Miss D more likely than not authorised the transactions, based on the evidence I have available.

Miss D has been clear and consistent in her testimony about what happened. She says she would usually use her phone wallet to make payments from her account, but on one occasion while abroad she used her debit card and was asked to sign to confirm the transaction. And I've seen evidence of the transaction she refers to on her transaction history. Miss D is not disputing this payment, but she says looking back she doesn't

remember her card being returned to her and she didn't realise at the time as her and her partner were ushered out in a hurry. Miss D says she continued to use her mobile to make payments, unaware that her card was not in her possession and was being used by someone else. Miss D says she logged on to her account on 6 May 2023 to check her account and noticed the disputed transactions.

Revolut has provided some evidence in response to this complaint but has failed to provide all the information we asked for to investigate this complaint. As we've given Revolut sufficient time to respond, I will only be able to rely on what I have to come to a decision on what I think is more likely to have happened.

Revolut provided evidence of how the transactions in dispute were carried out. This shows that they were all carried out using Miss D's genuine card via the card chip. However, Revolut has pointed out that the evidence doesn't show whether the PIN was also used to verify the transactions. In fact, I've not seen any evidence that any type of verification was needed for these payments, only that they were made using the genuine card. And based on what Miss D has said about her card not being returned to her, I am not persuaded the evidence shows these were authorised by Miss D.

Revolut says that due to the activity around the time, it feels Miss D would've been aware of the transactions at the time they were happening but didn't report them till after. We asked for more information about what activity it was referring to but received no response. I've looked at Miss D's transaction history and it shows that she did make some undisputed transactions after the point she said her card out of her possession and after the disputed transactions. However, Miss D says she continued to use her mobile phone to make payments without realising her card was missing. Revolut hasn't provided any evidence to dispute this, for example evidence showing these undisputed payments were also made using her card, and so I have no reason to doubt what she has said. Therefore, I am not persuaded that this shows Miss D authorised the transactions in dispute or was aware of them.

Revolut has not provided any other evidence to persuade me that Miss D was responsible for these transactions, so overall I think they were unauthorised and Revolut should put things right as set out above.

Miss D also made a claim for compensation for the distress and inconvenience caused. The investigator considered this and decided to award £100. Neither party responded with any reasons to dispute this award, so I don't need to consider this further.

### **Putting things right**

Revolut Ltd should put Miss D back in the position she would've been in had the disputed transactions not taken place. This means it should refund all the disputed transactions (I understand this to be a total of 19 transactions.) It should also add 8% simple interest to this amount from the date the payments were made till the date they are refunded.

Revolut Ltd should also pay £100 in compensation for the distress and inconvenience caused.

### **My final decision**

For all the reasons outlined above, I am upholding this complaint and Revolut Ltd should put things right as outlined above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss D to accept

or reject my decision before 3 January 2025.

Sienna Mahboobani  
**Ombudsman**