

## The complaint

Miss M complained about the service provided by Wombat Invest Ltd. She said Wombat has not honoured two trades on her account, when she tried to sell them. She said she should be reimbursed for her investment losses.

## What happened

In May 2022, Miss M bought shares in two US companies. Miss M said she decided to sell both on 21 June 2022, as both were displaying a profit of about 80-100% on Wombat's app. She said she put through an order to sell the two holdings and could see that if she did this, she would make a profit. Stock A she said would sell for £179.61 and Stock B for £122.71. But she said the sales did not happen. She tried again several times to sell them but to no avail.

Miss M contacted Wombat and was told it had reset its system and that she should go ahead and sell the shares. It said it would reimburse her the difference between what she would've got if the shares had sold earlier and what she was going to receive. Miss M sold the shares and could see the values were markedly different: Stock A sold for £102.54 and Stock B for £52.97. Miss M was then reimbursed by Wombat. But Mrs M said only for £5 and not the difference between what she could see the shares were worth when she tried to sell them earlier in the day and what she eventually sold them for. Miss M made a complaint to Wombat about this.

Wombat replied and said there was incorrect information on its app that showed Miss M had more units of the two holdings than she actually had. It said therefore the sell orders kept failing as Miss M didn't have enough units to cover the orders. It said it then reset the system and it showed the correct units, allowing Miss M to sell the two holdings. It said it was sincerely sorry for its mistake and felt Miss M had a valid complaint.

Wombat said it would ensure Miss M had the units she originally held, bringing her account back to its previous state before she sold them. It said it would also offer £20 as a gesture of goodwill.

Miss M wasn't happy with Wombat's response. She said Wombat offered to make up the difference between what she thought she was selling the stocks for, the amount shown on its app and what she did sell them for. Miss M said she wouldn't have sold the stock otherwise. She repeated that she felt Wombat should honour this and reimburse the difference. She referred her complaint to our service.

Our investigator looked into Miss M's complaint and didn't recommend that it be upheld. She said Wombat has accepted there were issues with its platform and that it made the error. She said the business has offered to make Miss M's account whole again, but Miss M has declined this. It has also offered £20 compensation and the investigator felt its offer overall was fair.

Miss M didn't agree and asked for an ombudsman review and so her complaint comes to me for a final decision.

### **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.

I do not think Wombat needs to put things right, any more than what it has already offered.

These are my findings that explain why:

- Wombat has said it made errors by providing incorrect information on its app about the two shareholdings held by Miss M. It has said sorry and has offered to put things right.
- So, because of this I don't need to make any finding on whether Wombat has done anything wrong, Wombat has said it has. It says it gave incorrect information on its app. And I can see this led to Miss M trying to and then going on to sell her two holdings. Rather, what I need to consider here is whether Wombat's offer to put things right is fair and reasonable.
- Wombat has said it would ensure Miss M had the units she originally held, bringing the account back to its previous state. It has also offered £20 as a gesture of goodwill.
- Miss M has declined Wombat's offer and would like it to honour what she feels it had originally agreed to do. This she says, is pay the difference between what she noted down she thought she was selling the two holdings for and what they were eventually sold for.
- I think a fair and reasonable approach to putting things right here is to put Miss M back into a position she would have been, but for Wombat's error that it has admitted it made. Miss M said if Wombat has not made its error and showed she had more units than she actually had, then she wouldn't have sold the holdings, because she didn't want to make a loss.
- Wombat has offered to reset Miss M's holdings back to what she held before she sold them. This would put Miss M back into a position she would've been in, but for Wombat's error. So, I think Wombat's offer to do this is fair and reasonable.
- Miss M says she would like Wombat to reimburse her the difference between the value of the shares displayed on the app when she tried to sell them, and what she sold them for. But this information was incorrect. Miss M didn't hold the units of shares that, incorrectly, the app said she held. If I asked Wombat to do what Miss M wants, then that would put her back in a better position but for Wombat's error. This would not be fair or reasonable so I can't ask it to do this.
- Wombat also offered £20 in compensation for the distress and inconvenience caused. When I consider all the circumstances in Miss M's complaint, I think this offer is fair and reasonable.

Looked at overall, I think what Wombat has offered to Miss M to put things right is fair and reasonable. It said it would reset Miss M's holdings back to the units she originally held but she has declined this.

Wombat has offered compensation of £20 for distress and inconvenience caused. I think this offer is fair and reasonable in the circumstances.

### **My final decision**

Wombat Invest Ltd has already made an offer to Miss M to pay £20 to settle the complaint. I think its offer is fair and reasonable.

So, my decision is that Wombat Invest Ltd should pay £20 in total if it hasn't done so already

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 19 July 2023.

Mark Richardson  
**Ombudsman**