

The complaint

Mr E complains that American Express Services Europe Limited (AESEL) ('AMEX') closed his two accounts with it.

What happened

The details of this complaint are well known to both parties, so I will not repeat them again here. The facts are not in dispute so I will focus on giving the reasons for my 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.

Having done so, I agree with the conclusions reached by the investigator for these reasons:

- AMEX can decide who it wants to deal with as a customer. And if it decides to close a customer's account, it doesn't have to give notice or a reason. But it must follow the process it has set out in the account's terms and conditions.
- For both Mr E's accounts, the terms and conditions say AMEX can close an account immediately if it has reasonable grounds to believe the customer is unable or unwilling to pay their debts when due. Having considered AMEX actions, I think it followed the process set out in its terms and conditions.
- The terms and conditions of the Rewards Gold card meant it had to be cleared in full each month. Full payment was attempted to be taken from Mr E in March 2023, but this payment was unsuccessful, and no other payments were made.
- While I accept Mr E was disputing certain transactions, he did also use the card that month and AMEX has informed us to date no payment has been made for these transactions. And that amount is still also outstanding on the Platinum credit card.
- AMEX requested information from Mr E to show he could meet the payments required on his accounts. It's accepted Mr E didn't provide the income information requested.
- I understand that Mr E didn't realise this information was still needed because he was discussing the fraudulent payments with AMEX. But AMEX was entitled to request this information and I can see the request was correctly emailed and posted to Mr E, so he had the opportunity to respond to it. While I accept there was some confusion, ultimately AMEX didn't receive a response in the way it directed, with the information requested.
- Considering Mr E didn't make any payments to the Reward Gold account in March or April 2023 and didn't provide the financial information asked for, I can't say AMEX acted unfairly in then closing his accounts. So I'm not going to tell AMEX to re-open or reinstate the accounts as I don't think it did anything wrong when it closed them.

For these reasons, although I understand Mr E's frustration, I do not uphold this complaint.

My final decision

For the reasons set out above, I don't uphold Mr E's complaint about American Express Services Europe Limited (AESEL).

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 22 May 2024.

Amy Osborne
Ombudsman