

The complaint

Mx W complains that JP Morgan Europe Limited (trading as “Chase”) hasn’t properly investigated or refunded transactions made on their debit card after they reported it had been stolen.

What happened

Mx W holds a bank account with Chase and reported their debit card as stolen on 22 November 2022. However, Chase failed to cancel this card or send a replacement at the time, which formed the basis of a separate complaint that has already been considered by this Service.

Mx W subsequently raised a dispute with Chase about any transactions that took place on their card after they reported it as stolen. Chase asked Mx W to provide further information about the payments they wished to dispute. Mx W explained that it would be any payment where the card had been physically presented after 18 November 2022 and September 2023 when a replacement card was issued.

Other than one transaction of £3.45 (which has since been refunded) Chase said that there were no other successful card transactions that took place between this period, with the first successful Chip and PIN transactions only taking place from 22 September 2023 onwards after Mx W had received and activated their replacement debit card. Mx W wasn’t satisfied with Chase’s response however and referred the matter to this service for an independent review. Mx W was also unhappy that Chase issued them with another new card in October 2023 and sent it to them through the mail, as they’d requested that it didn’t send anything via post as a reasonable adjustment.

Our investigator didn’t uphold Mx W’s complaint. She was satisfied there were no other unauthorised transactions that took place on Mx W’s stolen card that Chase would have to refund. She also didn’t think Chase had acted unreasonably by reissuing another debit card in October 2023 and sending it via post. Mx W disagreed, so the matter has been escalated to me to determine.

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 and have decided not to uphold it for the following reasons:

- In terms of the unauthorised transactions, Chase refunded one payment of £3.45 that was disputed by Mx W and debited their account on 23 November 2022. And having reviewed the evidence, I’m satisfied there were no other successful transactions made after 18 November 2022 where the card was physically presented. It appears there were some attempted ATM withdrawals, which were unsuccessful due to the incorrect PIN being entered, so there was no loss of funds here. The only successful Chip and PIN

transactions following 18 November 2022 took place *after* Mx W activated their replacement card on 22 September 2023. And there doesn't appear to be any dispute that these payments were carried out by Mx W after they received their new card. Therefore, I'm not persuaded there is any further refund due to Mx W as a result of any unauthorised transactions taking place on the card they reported as stolen.

- I understand Mx W is also unhappy that Chase issued them with another new card in October 2023 and sent it through the mail, which they said it shouldn't use as a means of contact. After Mx W's previous complaint, Chase has explained that its fraud team wanted to ensure there was no risk of any further unauthorised transactions being made. It also said that the card it previously issued in September 2023 had been recorded as "damaged" rather than "compromised", so it issued a further card in October 2023 to ensure Mx W's account and debit card were secure. I don't think this was unreasonable, although I understand this would have caused a certain level of inconvenience to Mx W as they wouldn't have been able to use their physical card for a few days. However, they would've still had access to the virtual payment card on the Chase app, and they were also still able to transfer money during this time. So, I don't consider the potential distress and inconvenience caused would warrant an award of compensation in these circumstances.
- Chase has also explained that its payment cards are always dispatched and delivered via post. And given there was a need to send the physical card to Mx W's address in order for it to reach them, I don't think Chase has acted unreasonably by doing this as an exception to the reasonable adjustments Mx W requested.
- I can see that Mx W has made further submissions about them repeatedly informing Chase about the card that had been stolen, which they say was ignored. However, this formed the basis of a separate complaint Mx W previously brought to our service, for which compensation was awarded. So, it's not something I'm able to comment on as part of this complaint.

I appreciate this may come as a disappointment to Mx W. But overall, I'm not persuaded Chase needs to take any further action in response to this complaint.

My final decision

For the reasons given above, I do not uphold this complaint.

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

Jack Ferris
Ombudsman