

The complaint

Mr H complains Monzo Bank Ltd (“Monzo”) refuses to refund him for transactions on his account he says he didn’t make.

What happened

Mr H says several transactions were made on his account totalling £4,350 on 29 March 2023, which he didn’t make.

Monzo says it thinks he did make them because they were made using his regular device and verified using ApplePay, which is protected via biometrics (usually fingerprint or face ID) or a passcode. And Mr H told it that no one else has had access to his device. Monzo also says the transactions were made to a gambling company that Mr H has paid previously, and that Mr H has a history of gambling. So Monzo says it is satisfied that the transactions were made by Mr H himself.

Our investigator considered this complaint and decided not to uphold it. Mr H was not happy with this outcome, so the complaint has been passed to me for a 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 considered the evidence, testimonies, and relevant legislation (The PSR’s) I am not upholding this complaint. I have been unable to identify a compromise of Mr H’s Monzo account and on balance, it is more likely than not that the disputed transactions were authorised. I’ll explain why.

Monzo have provided evidence to show that the transactions in question were all authorised using ApplePay via Mr H’s regular device, which is the only device linked to Mr H’s Monzo account. ApplePay requires a passcode or biometrics to gain access, and Mr H has told us that his ApplePay account was protected via biometrics. This means either his face ID or fingerprints were needed to authorise the payments. So even if someone else got hold of Mr H’s device, there is no explanation as to how they would’ve been able to get through the biometric security.

Monzo have also provided evidence to show that the payments were made to a gambling company, one which Mr H has paid to before and not disputed. There is also evidence of regular payments to other gambling companies. Monzo says this shows Mr H has a habit of gambling, and it thinks Mr H made these transactions and now regrets it. But I don’t think the fact that Mr H has made payments to the same company previously necessarily means that he authorised the transactions in dispute.

However, I’ve considered what both parties have said and the evidence they have both provided. Mr H says these transactions were not made by him, but he has not provided any evidence to explain how his device was used to make them nor how the biometric security

could've been compromised. In fact, Mr H's evidence is that he still has his device and that no one else has had access to his card, PIN, or device.

Ultimately, the transactions were done using Mr H's regular device, without any persuasive evidence to show how someone else could've made them. All the evidence suggests it's more likely that not Mr H made these payments himself, therefore, I am not upholding this complaint.

My final decision

I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 19 March 2024.

Sienna Mahboobani
Ombudsman