

## The complaint

Mr D complains that Barclays Bank UK PLC won't refund the money he lost when he was the victim of what he feels was a scam.

## What happened

In August 2020, Mr D was told about an opportunity to invest in a property development by a property investment company he was speaking to. He was told the property developer was building a number of apartments and that he would receive returns from renting out the apartment he purchased, once it was complete. And as he was happy to proceed with the investment, Mr D then made a payment from an account he held with another bank, to an account for the property developer held with Barclays.

I've set out the payment Mr D made to the Barclays account below:

Date	Amount
7 September 2020	£5,000

Unfortunately, the property development was never finished, and a receiver was appointed over the developer. Mr D then reported the payment he had made to Barclays as a scam and asked it to refund the money he had lost.

Barclays investigated but said it had completed all relevant checks and complied with all regulatory requirements when the account the money was sent to was opened. And it said the money Mr D sent was utilised by the account holder before it was notified about the possible scam. So it didn't agree to refund the payment Mr D had made. Mr D wasn't satisfied with Barclays' response, so referred a complaint to our service.

One of our investigators looked at the complaint. They said Mr D hadn't suffered a loss from the payment he'd made, as the amount had been returned to him some time later. So they didn't think Barclays should have to refund the payment. Mr D disagreed with our investigator, so the complaint has been passed to me.

## 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.

Mr D also complained about several other payments he made to a solicitor, who he says then passed the money on to the property developer. But as there's no evidence of these payments ever crediting the Barclays account Mr D has complained about, I haven't considered them further here.

The £5,000 payment Mr D complained about from 7 September 2020 also appears to have been returned to him. I've seen evidence that a payment of £5,000 was credited to the account Mr D made the initial payment from sometime later, with a reference which suggests it was related to the property development he thought he was investing in. And Mr D has

confirmed that the reservation fee, which the £5,000 payment he made was to pay for, was returned to him.

So I don't think Mr D has suffered a financial loss as a result of the £5,000 payment he made to the Barclays account here. And so, regardless of any of the other circumstances surrounding the payment or his intended investment, I don't think it would be fair to require Barclays to refund this payment.

### **My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 1 November 2024.

Alan Millward  
**Ombudsman**