

The complaint

Mr H complaint Frost Money Ltd (Frost) refuses to refund him for transactions on his account he says he didn't authorise.

What happened

Mr H says several transactions on his account paid to the Google Play Store were not authorised by him. These transactions were made between 23 July 2023 and 10 October 2023. Mr H says Frost should refund him for these transactions.

Frost says it believes these transactions were authorised by Mr H. It has provided evidence to show that some of the disputed transactions were carried out at the same IP address of other genuine spending. Frost have now closed Mr H's account so have not investigated this further.

Our investigator considered the complaint and decided not to uphold it. Overall, she felt although the evidence was limited it seems more likely these transactions were authorised by Mr H. Mr H didn't agree so the complaint was 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.

I'd like to reassure both parties that although I've only given an overview of what happened, I've read and considered everything we've been provided in its entirety.

When considering what's fair and reasonable, I'm required to take into account relevant law and regulations; the regulator's rules, guidance and standards; the codes of practice; and, where relevant, what I consider good industry practice at the relevant time.

Where there's a dispute about what happened, and the evidence is incomplete or contradictory, I must make my decision on the balance of probabilities – in other words, what I consider most likely to have happened in light of the available evidence.

Mr H says he wasn't responsible for the transactions on his account to the Google Play Store between 23 July 2023 and 10 October 2023. I've looked through his statements and the transactions in dispute and I can see that his account was active and in constant use throughout this time. I've also seen that Mr H was monitoring his account regularly and was in contact with Frost about incoming and outgoing payments. So, I think it's likely he would have raised this before if these transactions were not authorised - especially since these transactions were so frequent and happened over a period of amount three months.

Frost have provided evidence to show that the some of the transactions in dispute were carried out from the same IP address as other genuine non-disputed transactions, and the IP address relates to the device used and its location. So, it believes these must have been carried out by Mr H himself. But Mr H claims that the IP address would match because

Google has fraudulently taken these payments. I've considered what Mr H has said but I think that is unlikely, I'll explain why.

Mr H has told us that he has been a victim of fraud previously on his Google account, and that money has been spent on his account without authorisation in the past. But he also told us that since then he has changed his Google password and his card details on the account. Transactions via the Google play store would need to be authorised using Mr H's password or biometrics on his phone, and I've not been provided any evidence to suggest Mr H's new Google Play Store password has been compromised, nor his device. So, I think it's likely he made these transactions himself.

Mr H believes these transactions are for a subscription that he never signed up for. But the frequency of the transactions and varying amounts are not suggestive of a subscription. In addition, it's likely Mr H would've received an email receipt from Google for each transaction, and had he not authorised them I think Mr H would've flagged this earlier considering how many emails he would've received.

Overall, I've considered the evidence available and for the reasons outlined above I think it's likely these transactions were authorised.

My final decision

I am not upholding the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 2 July 2024.

Sienna Mahboobani
Ombudsman