

The complaint

Mr B complains that Revolut Ltd has allowed payments to be made from his account without his knowledge or permission and won't refund his losses.

What happened

After falling victim to a scam in 2022, chargebacks were raised and were successful. Funds of around £59,000 were returned to Mr B's account with Revolut in January 2023.

But these funds were then transferred out again, unbeknownst to Mr B, on 6 April 2023. He said he hadn't realised the funds were back in the account and that he hadn't transferred them out.

Revolut said Mr B's device was the only one used to access his account during the reported period. And it showed 'live selfies' of Mr B that had been taken on 6 April 2023. So, it considers the payments to have been authorised and didn't agree to refund Mr B's losses.

Our investigator also concluded that the device used to make the payments was Mr B's. And he noted that Mr B had been very clear that no one else had been able to access his phone since the original scam in 2022. The investigator also said he could see that the password was changed for the account on 6 April 2023 and that live selfies were provided at the time. And he noted that Revolut had emailed Mr B in January 2023 to confirm the chargeback claim had been successful, suggesting he was made aware of the funds being in the account. So, from the evidence provided, he couldn't see how anyone else would have been able to make the payments from Mr B's device.

Mr B was unhappy with this. He maintained that he didn't make the payments. And he said that his understanding was that his account had been closed in 2022.

Our investigator found that the account was due to close when Revolut said Mr B was unresponsive but said the closure was later cancelled. He also reiterated that the payments were made from Mr B's device. So he remained of the opinion that the evidence didn't suggest third-party involvement.

Mr B remained unhappy. He stated again that no one else had used his devices since 2022 and said he'd previously provided the scammers with selfies, so wonders if these were used to gain access to his account. So, the complaint was passed to me to decide.

I contacted Mr B informally in an effort to resolve the complaint informally, as our rules allow, by explaining the evidence we'd been provided with. In summary, I explained that the evidence provided showed that Mr B's device was used to make the payments but that he'd assured us no one else had access to his device. And that he'd changed his password in October 2022 following the scam, but that Revolut had said it hadn't been changed again until *after* the disputed payments on 6 April 2023, with no failed password attempts in between.

Mr B replied to say that he'd had no idea the funds were in his Revolut account until January

2024. And that, had he known about the funds, he would have taken the money out, particularly as he's in debt due to the scam in 2022. He said he didn't change his password in April 2023. And he requested 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 done so, I'm not upholding this complaint. I recognise how disappointing this will be for Mr B, as he's expressed numerous times that he had no part in these payments. But the evidence I've been provided with doesn't support his version of events. I'll explain why below.

The starting position in line with the Payment Services Regulations 2017 ("PSRs"), the relevant legislation here, is that Mr B is liable for payments he's authorised, and Revolut is liable for unauthorised payments. So, the key question here is whether Revolut has acted fairly in concluding that Mr B authorised the disputed payments.

I'm satisfied from the evidence provided that Mr B's mobile device, which was registered to the account, was used for the disputed transactions. But according to the PSRs that is not, on its own, enough to enable Revolut to hold him liable. So I also need to think about whether the evidence suggests that it's more likely than not that Mr B consented to the payments being made.

As part of evidencing the payment was authorised, Revolut has shown that the disputed payments were processed on Mr B's device. And it's shown that someone logged into the Revolut app on this device, using Mr B's personalised security credentials and completed the correct steps for the payments to be processed. So Revolut has evidenced that the necessary process was completed to authenticate the payments.

And from what I've seen, I don't think it's unreasonable for Revolut to conclude that it was Mr B who completed these steps and so consented to and authorised the transactions. This is because:

- There is no clear point of compromise where a third party could have accessed Mr B's mobile device to make a payment. He's been very clear about the fact that the phone has remained in his possession since then. There's no evidence to suggest that any other device was used to make the disputed payments.
- Mr B changed his Revolut password following the scam in 2022. It wasn't changed again until *after* the disputed payments had been made on 6 April 2023. And there were no failed attempts to log in to make those payments. So, it's unclear how a third party would have gained access to the account without Mr B disclosing his password, which he's said he didn't do.
- While Mr B has also said he didn't change the password, Revolut has been able to provide the live selfies that were taken at the time of the password changes – requiring access to his camera in the moment. So, it's also unclear how a third party would have been able to provide live selfies consistent with other images of Mr B. Given the requirement to access his camera, it doesn't appear that a photograph of Mr B would have been sufficient.

I acknowledge how adamant Mr B is that he had no part in these transfers. But for the reasons given above, I can't see how a third party would have been able to gain access to

his account or make payments using his mobile device. So, on that basis, while I appreciate how disappointing this will be for Mr B, I don't think it was unreasonable for Revolut to treat the payments as authorised. It follows that I don't think Revolut needs to return any of those funds to Mr B.

For completeness, I'll just refer to a couple of other points made. Mr B said he wasn't aware that the chargebacks had been successful, but I've seen an email Revolut sent about this to the email address our Service holds on file. Mr B has also said that, as far as he knew, his account had been closed. I recognise he's said he didn't change the password, but as I've outlined above, the password was changed in April 2023 with the involvement of a live selfie. So this doesn't align with not being aware the account had remained open.

My final decision

For the reasons given, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 25 March 2025.

Melanie Roberts
Ombudsman