

The complaint

Mr C complains Revolut Ltd, “Revolut”, refuses to refund him for a transaction on his account he says he didn’t authorise.

What happened

The facts of this case are well known to both parties, so I won’t repeat them in detail here.

In summary, Mr C complained about a transaction on his account he says he didn’t authorise in the amount of £100.80 (£99.80 payment with a £1 fee). Mr C says the payment was made on 9 March 2024 in Hong Kong, but he has evidence he was in the UK at the time. So, he would like Revolut to refund this payment.

Revolut says the payment was made via ApplePay, via his card ending 8947, which was added to the ApplePay wallet on 5 March 2024. Revolut says a one-time passcode (OTP), sent to Mr C’s phone number, was needed to add Mr C’s card to the ApplePay wallet. So, it says Mr C must have done this himself or given the passcode to someone else, and it has held him responsible for the payment.

Our investigator considered this complaint and decided not to uphold it. Mr C wasn’t happy with this outcome, so the complaint has been passed to me for a final 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.

Revolut says it hasn’t found any evidence of fraud on Mr C’s account and it has been unable to identify a compromise of his phone or the OTP passcode – so it has decided to reject his complaint on the basis that there is no evidence the transaction was not authorised. I’ve considered everything supplied by both parties, and from the evidence I’ve seen I think the outcome reached by Revolut and our investigator is fair. I’ll explain why.

Revolut’s screen shots of the information recorded from this payment shows it was made via ApplePay. Mr C said he added his card to his personal phone through Google Pay and to his

work phone through ApplePay. But Mr C says he was in the UK at the time with both phones and his debit card, and he is adamant he didn't make the payment in dispute.

However, the evidence provided by Revolut suggests his card was added to ApplePay on two different devices. One device on 20 February 2024, which I think is likely to be Mr C's work iPhone, and another device on 5 March 2024. This also shows an OTP was sent to Mr C's registered phone number to add the card to each of these devices. And he says he received the OTP to add the card to his work iPhone, so I think it's likely he also received the OTP sent on 5 March 2024. Mr C says no one else has access to his phone and it is protected with face ID and a passcode/password. He also says he hadn't received any suspicious calls, texts or messages around this time. So, there is no evidence to persuade me anyone else besides Mr C had access to this code.

I've seen evidence that the transaction was made on 9 March 2024 in Hong Kong. But Mr C's statement shows a transaction was made using his card around 20 minutes earlier in the UK. Mr C has also provided evidence that he says shows he was in the UK on 9 March 2024. While this evidence isn't conclusive, I am persuaded by Mr C's evidence altogether that it is more likely than not he was in the UK at the time. But this doesn't persuade me the transaction was unauthorised. It follows then that it's likely someone else carried out the transaction on Mr C's behalf, or he unknowingly provided the OTP to someone else who then added his card to an ApplePay wallet on another device.

Overall, the evidence suggests an OTP was sent to Mr C's phone number and this was used to add ApplePay on a third device, which is likely to have been used for the disputed transaction. Revolut has decided not to uphold this complaint on the basis that without any plausible explanation about how someone else obtained the OTP, Mr C must have accidentally or intentionally given it to them. Revolut has shown that the message accompanying the OTP makes it clear that this code should not be shared with anyone else, so therefore he has breached the terms and conditions of the account and was negligent in sharing this code. And therefore, it has held him responsible for this transaction on his account.

I know this outcome will come as a disappointment to Mr C, but without any stronger evidence to the contrary, I think Revolut's outcome to decline this complaint is fair.

My final decision

For all the reasons outlined above, I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 16 January 2025.

Sienna Mahboobani
Ombudsman