

The complaint

Mr C complains eBay Commerce UK Ltd (Commerce) asked for identification but made it difficult for Mr C to send it, then blocked his account.

What happened

Mr C's held an eBay Marketplace (Marketplace) account for a number of years, and as a seller Mr C has a regulated Commerce agreement.

Commerce sent Mr C emails letting him know he needed to send it proof of identity and proof of address. Mr C uploaded a travel pass, because it was government issued, but Commerce wouldn't accept it.

Mr C doesn't have photographic identification, and his birth certificate is in a different name. Mr C said Commerce repeatedly gave him the wrong advice about the identification he needed to send, and he struggled to upload pictures.

Mr C eventually sent Commerce identification it accepted, but it still blocked his account and removed listings from Marketplace. Mr C had over 300 listings removed, and says, because of his disabilities, it was time consuming to place these back on.

Mr C brought his complaint to this service, and an investigator looked into things. The investigator said Commerce was entitled to ask for identification, it's a regulatory requirement, and overall acted fairly.

Mr C disagreed, but the investigator thought Commerce made an effort to assist Mr C, knowing he was struggling to fulfil the identity requirements. Commerce also offered £100 to compensate Mr C for not recording his vulnerabilities on its system.

Mr C said he accepted the £100 solely on the basis this was for Commerce's failure to record his vulnerabilities. But Mr C thought Commerce should compensate him further for the time it took to sort out his account and listings.

Mr C said the platform needs redesigning to help consumers upload pictures of their identification, specifically because Marketplace allows larger pictures, Commerce doesn't.

Mr C also said his vulnerabilities meant it was more of an effort to complete Commerce's requirements, and it was more of an effort for him to relist his items on Marketplace. Mr C asked for an ombudsman to decide things.

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.

Commerce is the regulated part of eBay, Marketplace isn't. So, I can only look at errors and

omissions from Commerce, not Marketplace.

But it was Commerce asking for Mr C's identification, and Commerce blocking Mr C's account. And although I can't look into the action of removing Mr C's Marketplace listings, if an error on Commerce's part led to further inconvenience for Mr C, I can consider this.

Commerce sent Mr C an email on 13 August 2024. This email said some Commerce services were blocked and Mr C had to update his account information.

The email said Mr C had until 10 September 2024 to complete this or there may be further restrictions. Mr C called Commerce on 14 August to say he'd been trying to upload a travel pass to prove his identity.

There were further calls on 15, 16 and 20 August 2024, mostly Mr C letting Commerce know he was struggling to get the identification uploaded. I can see the people Mr C spoke to tried to help, but I can also see the calls often went off track.

Mr C called Commerce again on 7 September, and it seems he'd successfully uploaded all the identification Commerce needed at this point. In the next call, 9 September, Commerce says it can see all the identification and it was waiting for a specific department to sign off.

But 7 September was a Saturday, and Commerce has said it generally takes 24-48 working hours to verify someone's identity. I think this seems fair, and Mr C had been told several times to wait this length of time to see if his identification was correct.

Commerce says it hadn't finished its verification by 10 September, so it applied further blocks and deleted Mr C's listings. I think Commerce could have looked to give Mr C a little more time here, but, in the circumstances, I don't think it made a big difference.

I can see Mr C called on 11 September, to complain about the removal of his listings and Commerce helped him relist these items. Mr C explained he wasn't very computer literate, and I think Commerce took positive steps to help him.

Commerce seemed to suggest it accepted Mr C's statutory declaration of his name change as an exception. But Commerce has further explained this point, its preferred identification is photographic, a passport or driving licence.

But Mr C doesn't have any photographic identification, so as an exception his birth certificate was accepted, along with the statutory declaration. I know Mr C feels it was the statutory declaration Commerce was unhappy with, but it was the lack of photographic identification.

So, I don't think Commerce needs a better understanding of acceptable identification, I think it understood Mr C's use of a statutory declaration.

Mr C would like Commerce to change its systems, so the uploading of identification is as easy as the uploading of pictures for listings. But Mr C was able to upload the documents he needed to, so the system seems to work.

Whilst the system may not work as well as, or in the way Mr C would like it to, I can't say Commerce has acted unfairly here.

Mr C said Commerce should have made reasonable adjustments for him, to help him upload his documents. But I can see Commerce tried to help Mr C. In the calls, Commerce talked Mr C through making images smaller and helped him relist his items.

So, I think Commerce did enough to assist Mr C, even when I consider Mr C's vulnerabilities.

But Commerce should have recorded Mr C's vulnerabilities sooner than it did. I can't say the lack of record meant Commerce treated Mr C unfairly because it wasn't aware of his vulnerabilities, but it should have recorded them all the same.

Mr C also says Commerce misled him by telling him it would accept identification it then refused to accept. I've looked carefully at the calls Mr C had with Commerce, and I can't see it told him what identification it would or wouldn't accept.

But Commerce was clear in its emails to Mr C what it would accept. I've seen the email Commerce sent Mr C on 20 August, and it says:

For UK Sellers that do not have a photo ID we can exceptionally accept another government issued document if it has the customers full name and either a residential address or date of birth.

And it goes on to list a birth certificate and utility bills, which is what Mr C sent in. I can't see Commerce wrongly advised Mr C about the identification it would accept.

I can see this was a lengthy process for Mr C, and I accept this process will have been made more challenging because of his vulnerabilities. But I don't feel Commerce treated Mr C unfairly through the process.

I think Commerce clearly explained what identification it would accept and tried to help Mr C upload it. I think it was unfortunate timing leading to Mr C's listings being removed, but Commerce helped Mr C relist them.

Commerce should have recorded Mr C's vulnerabilities sooner than it did, and I think its offer of £100 to compensate for this error is fair.

My final decision

My final decision is I uphold this complaint and eBay Commerce UK Ltd should pay Mr C £100 compensation if it hasn't already done this.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 11 February 2025.

Chris Russ

Ombudsman