

## **The complaint**

Miss N complains eBay Commerce UK Ltd (Commerce) suspended her account and asked for identification. Despite sending in identification, Commerce won't pay out Miss N's money.

## **What happened**

Miss N opened a marketplace account and agreed Commerce terms and conditions in early July 2023. Soon after, the marketplace asked Miss N some information about her sales.

Commerce then asked Miss N to send in identification documents. Miss N sent Commerce a copy of her passport, on a couple of occasions, but Commerce couldn't validate it.

The money in Miss N's marketplace balance was put on hold for 180 days, then it was permanently suspended. Commerce was holding over £1,400 in the marketplace balance and not allowing Miss N to access it or pay it to her bank account.

Miss N complained to Commerce, and it responded to say it thought the complaint was resolved and hoped Miss N was satisfied with the outcome.

Miss N wasn't satisfied with the outcome, so she brought her complaint to this service. An investigator looked into things but didn't think Miss N's complaint should be upheld.

The investigator accepted Miss N had sent Commerce a copy of her passport, but agreed with Commerce when it said it couldn't verify Miss N's identification.

The investigator had tried to get bank statements from Miss N, for the account linked to her Commerce account, but Miss N was unable to provide these.

The investigator felt Miss N hadn't proved she was the owner of either the Commerce or marketplace account, and therefore the owner of the balance. The investigator thought Commerce had acted fairly in not releasing the money to Miss N.

Miss N disagreed and said she'd sent her passport like Commerce asked and it still kept her money. Miss N said she'd had no issues with the buyers of the items she sold.

Miss N 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.

I've seen the copies of Miss N's passport, and I can see why Commerce can't verify this

identification. Commerce's terms say it may terminate the Commerce agreement if:

*We are unable to verify you or your business's identity, or any other information pertaining to you*

Commerce couldn't verify Miss N's identity, despite her sending in a passport, so I don't think Commerce did anything wrong in terminating Miss N's agreement.

But simply terminating the agreement isn't necessarily enough for Commerce to refuse to pay out the money in Miss N's balance. I'd expect Commerce to release the money to the person who can prove ownership of it.

In an effort to help things along, the investigator asked Miss N for copies of the bank statements for the account linked to Commerce.

Miss N provided bank statements for a, now dissolved, limited company where she wasn't the director. The bank is also different to the bank Commerce's record show.

Commerce has said Miss N verified the linked bank account she added using micro deposits, Commerce paid small amounts of money in, and Miss N told Commerce what those amounts were.

I'm satisfied Miss N had access to the account she linked to Commerce at the time she linked it. I'd expect Miss N to be able to provide statements for this account.

The investigator told Miss N which bank provides the linked account, and Miss N said she's never banked with that particular bank.

Miss N seems not to be able to produce statements for the linked account, and this leaves Commerce in a difficult position. Commerce has concerns about the validity of Miss N's identification and she can't prove ownership of the linked bank account.

Miss N is emailing Commerce, and this service, from the email address on file for her Commerce and marketplace account, but I don't think this, on its own, is enough to prove ownership of the marketplace balance.

I'd expect Miss N to be able to prove at least two, and preferably all, of the three points of identification with Commerce, the email address, her identification and proof of ownership of the linked bank account. Miss N has only proved one of these.

Since Miss N has only proved one, the email ownership, I don't think Miss N has provided enough to allow Commerce to safely release the money to her. Because of this, I don't think Commerce needs to release any money to Miss N.

Miss N has said she had no issues with the sales made on the marketplace. I agree, but Commerce's issue is Miss N's identification, not what she sold or whether the buyers were happy with what she sold.

Commerce has said it will release the money if Miss N can provide satisfactory, and valid, identification. I'd suggest Miss N speaks to her relevant passport office around why Commerce may have concerns about the identification she provided to it.

But, unless and until Miss N provides Commerce with valid identification or (preferably and) proof of ownership of the linked bank account, I don't think Commerce needs to release any

money.

### **My final decision**

My final decision is I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss N to accept or reject my decision before 28 March 2025.

Chris Russ  
**Ombudsman**