

## The complaint

Miss S complains that Monzo Bank Ltd hasn't refunded an unauthorised card payment on her account.

## What happened

Miss S was selling items on an app she hadn't used before when she was contacted by someone asking her to email them an item's photos, as they couldn't see them clearly. This person said they wanted to buy the item and then emailed Miss S with what appeared to be confirmation of payment. She clicked the link provided and understood she was then dealing with her card scheme provider and had to verify some information to receive the funds.

Miss S completed the steps instructed by the card scheme provider, which included approving a payment in her Monzo app. Miss S understood this was to verify her to receive funds, not that any funds would be taken. Miss S realised this was a scam when a second payment was attempted. She quickly contacted Monzo and reported the scam.

Monzo didn't agree to refund Miss S or uphold her complaint. It said the payment was authorised by Miss S, so she wasn't due it back. Miss S disagreed and came to our Service.

Our Investigator didn't uphold her complaint. They thought that Miss S had consented to the payment in line with her account terms. And they didn't find any other reason she should be refunded. Miss S disagreed and asked for an Ombudsman to review her complaint.

## 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.

In line with the Payment Services Regulations 2017 ("PSRs"), the relevant legislation here, the starting position is that Monzo is liable for unauthorised payments, and Miss S is liable for authorised payments. Miss S has told us she didn't give her consent for a payment to be taken and only completed the steps in app as part of verifying an account elsewhere to receive a payment.

The PSRs outline that consent for a payment transaction "*must be given in the form, and in accordance with the procedure, agreed between the payer and its payment service provider*". Monzo's terms set out that, for card payments, Miss S could consent in a number of ways, including proving "*it's you with fingerprint or facial recognition*".

Monzo has provided technical data for how the £800 payment was authenticated and this shows it was completed in app using Miss S's biometric data. So in line with the terms of her account, this means she did consent to the payment.

I accept Miss S didn't *intend* to consent to a payment and completed the biometric authorisation because she was being tricked by a third-party. But her intention in the situation isn't a consideration under the PSRs. The test here is whether she consented to the

payment or not, in line with her account terms. And while I accept she was tricked into doing so, for the reasons explained above, I'm satisfied she did consent and so under the PSRs, the payment is authorised.

I've then considered whether Monzo missed an opportunity to prevent this payment, or to recover the funds. But I'm not persuaded it did.

I wouldn't have expected Monzo to intervene on the payment at the time it was made. I don't consider the amount of the payment or the destination presented an apparent risk of financial harm. Miss S has explained this was a new payee for her account and she had been hacked the month before. I have considered these factors, but I'm still not persuaded this payment should've been considered so high risk that Monzo ought to have blocked it. And as Miss S's payment went to a money transfer service, I can't say Monzo was wrong not to pursue a chargeback claim. It's very likely the firm Miss S paid would have done what it was contracted to do and moved the money as instructed – it wasn't the one that scammed Miss S.

I'm also in agreement with our Investigator that Monzo wasn't able to stop the payment after Miss S had approved it. I accept she reported the scam very quickly, but Monzo had processed the card transaction, and the funds were therefore gone from its control. So it couldn't do anything to stop the payment at this time. While I accept Miss S has been the victim of a cruel scam, I don't find there are any reasons for Monzo to refund her this payment now.

### **My final decision**

For the reasons set out above, I don't uphold Miss S's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S to accept or reject my decision before 17 October 2025.

Amy Osborne  
**Ombudsman**