

## **The complaint**

Ms H complains that Revolut Ltd won't refund payments she didn't make or allow anyone else to make.

## **What happened**

Ms H has an e-money account with Revolut. She's disputing four payments made in February 2024 totalling just over £3,300. Revolut's records show the transactions were processed in a different currency and were made using Apple Pay which was set up in December 2023.

Ms H says she wasn't involved in setting this up and she wasn't contacted by anyone or asked to share any secure codes. Ms H also disputes that the payments in question were made through Apple Pay. She says that in June-July 2023 she reported that her physical card – I'll refer to it as Card 1 – which was added to Apple Pay on her phone was stolen. A new card – I'll refer to it as Card 2 – was issued. Ms H says she didn't add Card 2 to Apple Pay and her phone still shows Card 1 being associated with Apple Pay. She disagrees that the disputed transactions, which were made using details associated with Card 2, could have been made using Apple Pay.

Revolut declined to refund the transactions which totalled just over £3,300. It said the payments were made via Apple Pay, after Ms H's card was added to Apple Pay using a one-time passcode (OTP) that it sent to her registered phone number.

Ms H referred her complaint to the Financial Ombudsman Service, and it was considered by two Investigators. The first Investigator upheld Ms H's complaint as they weren't satisfied that Ms H had authorised the transactions. They noted that although Revolut had provided technical evidence that the payments had been made via Apple Pay and an OTP was sent to Ms H's number, it hadn't provided evidence that she was logged on to her Revolut app when Apple Pay was set up. So, they couldn't be certain that she'd received the code.

Revolut disagreed with the Investigator's findings and said that Ms H wouldn't have needed to access the Revolut app to set up Apple Pay where the registration was completed using an OTP – it said the code would need to have been entered on the Apple Pay wallet on the device it was being set up. Revolut also clarified that while Card 2 was reported as lost after Ms H noticed the disputed transactions, there was no record of Card 1 being reported as stolen. It noted that Ms H had made transactions through Apple Pay which is associated Card 1 since July 2023.

The complaint was considered afresh by another Investigator. While they acknowledged Ms H's stance that the transactions were made using her physical card, they were persuaded by the technical evidence which showed that Apple Pay was used. The Investigator was also satisfied that the OTP that was used to set up Apple Pay for Card 2 was sent to Ms H's registered phone number. As she'd maintained that she didn't receive any suspicious calls on the day the code was sent and she didn't share it with anyone, the Investigator wasn't persuaded that the transactions were unauthorised. They also considered whether Revolut should have intervened when the payments were attempted but

concluded that they weren't unusual for the account activity despite Ms H arguing otherwise. The investigator went on to say that even if Revolut had taken additional steps, given there's no suggestion that a scam had taken place and Ms H was tricked into authorising the payments, they weren't satisfied that an intervention would have made a difference.

Ms H disagreed with the Investigator's findings and asked for an Ombudsman to make a decision. In summary, she says she didn't receive the OTP as has been claimed, and the disputed payments don't appear as Apple Pay transactions on her statements. Ms H also argues that Revolut should have contacted her before processing the payments, given a large sum of money left her account in multiple transactions within minutes.

### **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 start by thanking Ms H and Revolut for their patience while this complaint has been awaiting an ombudsman's decision. I'd also like to reassure them that although I've summarised the background above, so not everything that happened or has been argued it set out, I have read and considered everything that has been submitted to this office in its entirety.

Having done so, I realise that this will come as a disappointment to Ms H but I'm not upholding this complaint. I'll explain why.

#### *Were the disputed payments made using Apple Pay?*

I've carefully considered Ms H's comments in relation to why she believes that the transactions were made using her physical card. But based on the technical authentication data I've seen from Revolut, I'm satisfied that the transactions were made using an Apple Pay token associated with Card 2.

Ms H has sent in screenshots of her Apple Pay wallet to demonstrate that the disputed transactions don't show up on the list. She says this is evidence that they couldn't have been completed via Apple Pay. I understand the point Ms H is trying to make. However, the screenshots she's provided would only show transactions made using the Apple Pay token set up on her phone. Based on the available information, the token on Ms H's device seems to be associated with Card 1. I say this because Ms H's account statement confirms that the transactions visible on the screenshots provided are linked to Card 1. What this means is that it's possible that the Apple Pay token associated with Card 2, which was used to make the disputed transactions, could have been set up on another device.

#### *Has Revolut acted fairly in treating the disputed payments as authorised?*

Under the relevant law – the Payment Services Regulations 2017 (PSRs) – the starting point is that Ms H is liable for payments she authorised, and Revolut is generally expected to reimburse unauthorised payments.

Where a payment is authorised, that will often be because the account holder has made the payment themselves. But there are other circumstances where a payment should fairly be considered authorised, such as where the account holder has given permission for someone else to make a payment on their behalf or they've told their payment service provider they want a payment to go ahead.

Here, Ms H says she didn't take the steps that set up Apple Pay with her card in December 2023, nor did she make the payments she's disputing in February 2024. Ms H insists she wasn't sent an OTP to confirm the Apple Pay set up for Card 2.

Revolut says the following steps were needed to set up Apple Pay on a device at the time:

- Entering Ms H's card information on the device.
- The set up required the use of an OTP to be entered on the device.

Revolut has shown that it sent an OTP to Ms H's registered number on the day Apple Pay associated with Card 2 was set up.

Where evidence is incomplete, missing or contradictory, I need to determine what I think is more likely than not to have happened. I do this by weighing up what I do have and making a finding on the balance of probabilities.

Although Ms H has said that she didn't click on any links or received any phone calls, it's plausible that the card information for Card 2 was somehow compromised. But there's no explanation for how a third party could have obtained the code that was sent to Ms H's registered number without her involvement, especially as there's no suggestion that someone else had access to her phone.

Ms H says she didn't receive the OTP that Revolut claims it sent. And that sending it doesn't automatically mean that it was received. The technical evidence I've seen shows that the Apple Pay token was verified using OTP. The technical evidence also shows that only one OTP was sent in relation to this. The timing of the token being set up and the OTP being sent is seconds apart.

While I appreciate that Ms H says she didn't receive the OTP, on balance, I think it's more likely than not that Ms H did access the code and either used it herself or shared it with a third party. I haven't been provided with anything to suggest that Ms H fell victim to a scam – she maintains that she didn't take these steps. But this conflicts with the evidence, and without an explanation surrounding this, there's no way to know why she did this, and if she was scammed what Ms H understood or agreed to. So, I don't think Revolut has acted unfairly in concluding that there's been no fraud and therefore treating the payments as authorised.

#### Other considerations

Ms H says that Revolut ought to have done more to identify the payments as suspicious and protect her from fraud. There are some circumstances in which our Service may conclude that a business is fairly responsible for a loss arising from authorised payments if, among other things, we consider it could and should have prevented the loss. But, as explained above, I'm not persuaded the evidence supports that Ms H has lost her funds to fraud here or that she fell victim to a scam. So, it wouldn't be fair for me to make an award on this basis.

Revolut declined to raise a fraud chargeback as it didn't think it had grounds for a successful claim based on how the payments were made. Chargebacks are a voluntary scheme with limited grounds set by the card scheme provider. Revolut wouldn't be expected to raise a claim that it reasonably thought would be unsuccessful. I've explained above why I think Revolut has acted fairly in treating the payments as authorised and so I don't think it made an error in rejecting the chargeback in the circumstances.

In summary, I recognise that this will be disappointing news for Ms H. But overall, I'm satisfied that it's fair for Revolut to have deemed the payments as authorised and I'm not persuaded it is at fault for processing them or rejecting a chargeback request.

### **My final decision**

For the reasons given, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H to accept or reject my decision before 23 December 2025.

Gagandeep Singh  
**Ombudsman**