

## **The complaint**

A limited company 'H' complains that PayrNet Limited are holding them liable for what they say were unauthorised payments.

Mr H is H's director and is bringing the complaint on their behalf. For ease of reading, I'll mostly just refer to Mr H where I mean his company.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide an overview of some of the key events here. On 20 January 2025 eight payments of £51.20 were made using 'Google Pay' that was linked to Mr H's card for his account with PayrNet. Together these totalled just over £400. On the same day, Mr H reported to PayrNet that he didn't recognise, nor had he made those payments. PayrNet investigated but declined to provide a refund. Mr H complained and when PayrNet maintained their position he referred his complaint to our service.

One of our Investigators ultimately didn't recommend that the complaint should be upheld. As a broad summary she wasn't persuaded the payments were unauthorised. Mr H disagrees and has asked for an Ombudsman to review his 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.

Having done so, I've reached the same outcome as our Investigator and for largely the same reasons. I know this will be disappointing for Mr H, so I'll explain why.

Firstly, I acknowledge that I can never know with absolute certainty how the payments in dispute came to be made. So, I must reach an outcome based on what I think is more likely than not, taking account of the available evidence.

The relevant regulations are the Payment Services Regulations 2017 (PSRs). These say that Mr H will usually be responsible for payments he's authorised. And in this context authorisation has two elements, authentication and consent.

The evidence from PayrNet shows that Mr H's card was added to Google Pay on a device in December 2024. Part of the process for this involved Mr H confirming it was him who did this via the in-app chat. The card was then able to be used for Google Pay on that device. I'm satisfied that this was the same device used to make the disputed payments. As such, I think PayrNet have evidenced that the payments were correctly authenticated.

But it still requires that Mr H gave consent for the payments to fairly conclude they were 'authorised' in line with the PSRs. Mr H accepts that when he confirmed the addition of the

card to Google Pay, this was to enable its use on his wife's phone. In doing so, he gave his consent for payments made from that device and I've not seen evidence to support that such consent was removed prior to the disputed payments. The evidence from PayrNet also indicates that the payments in question were made in person as they are recorded as being 'POS' or point of sale with the cardholder being present on their system.

Mr H says that his wife wasn't in the physical location where the payments were made (which was over 150 miles away from where they live). He's also provided some evidence which he says supports that she wasn't in the vicinity of where the payments were made. Some of this evidence is a screen shot from what he says was her device, and another bit of it is evidence of spending from another account of hers that took place shortly before the disputed payments, and again a significant distance away. I've considered this as well as all Mr H has said, but I'm more persuaded by the evidence from PayrNet's systems. The evidence Mr H has provided doesn't negate the possibility of his wife's device being used by another with consent, particularly as he's also said that his wife never shared any details or lost control of her device which was protected by both a password and biometrics. I don't think the most likely explanation is that the payments were unauthorised under the PSRs. It follows that I can't fairly require PayrNet to provide a refund for that reason or conclude that the outcome they reached was unreasonable.

For completeness, I don't think there was a prospect of a chargeback succeeding in these circumstances or that there was anything else PayrNet reasonably could've done once Mr H had reported the transactions to them. I also acknowledge Mr H's point that the payments were unusual in so far as eight payments going through in quick succession. But in the circumstances here, I don't think it was unreasonable for PayrNet not to do more at the time. PayrNet should look out for unusual or suspicious payments with a view to protecting their customers from financial harm. But firstly, I think it's reasonable for there to be some proportionality in that regard. They can't be involved in every payment made from all their accounts. And here, whilst rapid spending can be an indication of potential account misuse, I don't think it was unreasonable for PayrNet not to intervene in payments of these amounts. And even if I'm wrong on this point, because I've concluded the payments were more likely than not authorised, I still don't think it would've resulted in H ending up in a meaningfully different position.

### **My final decision**

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

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

Richard Annandale  
**Ombudsman**