

## **The complaint**

Ms E complains eBay Commerce UK Ltd (Commerce) is not releasing her money.

## **What happened**

Ms E was selling on eBay marketplace (marketplace) and it sent her a message to say it needed her to send it receipts or invoices for the items she was selling.

Ms E explained to marketplace she bought the items at charity shops or boot sales, and didn't have receipts, so marketplace stopped Ms E selling on its site.

Ms E had a little over £200 in her marketplace balance, and Commerce put a hold on this money to protect against claims.

Ms E complained to Commerce and wanted to know what she'd done to stop her selling on the marketplace and said she'd been selling for many years, with great feedback, so there wasn't a risk around claims against the money she had in her balance.

Commerce responded to say there were concerns about Ms E's sales on the marketplace so she'd been stopped from selling, and this couldn't be appealed. And Commerce said it would hold any money in Ms E's balance for 190 days.

Unhappy with this response, Ms E brought her complaint to this service. An investigator looked into things but didn't think Ms E's complaint should be upheld.

The investigator said they thought the restriction on Ms E's selling account was fair, and the hold on Ms E's money was in line with the agreement Ms E had in place with Commerce.

Ms E disagreed and said she understood the terms but couldn't find anything in there about needing to send in receipts or invoices for things she was selling.

Ms E also wanted to know why marketplace thought she was threat to its business, and since she had no disputes against the money on hold, Commerce should release it. Ms E asked for an ombudsman to decide 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.

Commerce is a regulated business, so I can consider complaints about Commerce. The marketplace isn't a regulated business, but some of what it does, and some of its decisions, influence actions taken by Commerce.

The marketplace asked Ms E to send in invoices, Commerce didn't. And it was the marketplace taking the decision to stop Ms E selling, not Commerce.

But Commerce is holding Ms E's money, and this hold comes from marketplace's decision to stop Ms E selling and marketplace saying she's a risk.

I've looked at what Commerce has sent in around why marketplace reached the decision about Ms E's risk, and it seems a fair decision for marketplace to make.

But Commerce has asked for the information to be kept confidential. This service was set up under a set of rules, DISP, and in DISP 3.5.9R it says:

*The Ombudsman may: (2) accept information in confidence (so that only an edited version, summary or description is disclosed to the other party) where they consider it appropriate*

and DISP 3.8R says:

*In dealing with information received in relation to the consideration of a complaint, the Financial Ombudsman Service will have regard to the parties' rights of privacy.*

Commerce is allowed, like Ms E is, to ask for some information to be kept confidential, but it's my decision to make. And I have to carefully balance Commerce's request with Ms E's reasonable request to know what happened and be able to defend herself.

Having considered all this, I think the information Commerce sent in should be kept confidential. I think releasing this information would risk it getting into the public domain and affecting Commerce's compliance and risk monitoring procedures.

I realise this will be disappointing for Ms E, she wants to know why marketplace and Commerce thinks she's a risk, but I don't think Commerce needs to tell her.

I've carefully, and impartially, considered the information and I think it was a fair decision to say Ms E posed a risk to the marketplace.

And once this reasonable decision's been made, Commerce applied its terms, in section 7, holds, its terms say:

*We take into consideration relevant factors when assessing the risks including selling history, seller performance, seller type, returns and cancellations, chargebacks, riskiness of the listing category, transaction value, the ability to make direct debits from your Linked Financial Account, and the filing of eMBG claims.*

*We also may cancel or freeze the settlement of your proceeds as necessary to comply with our legal obligations in connection with fraud prevention, risk management, or regulatory compliance, or, upon lawful request by our Affiliates, to enable them to comply with legal obligations applicable to them (such as compliance with tax-related obligations from EU DAC7 legislation).*

*Any hold placed on your funds will be released when the risk associated with our provision of Payment Services is reduced or eliminated.*

I think Commerce has applied these risk factors and, in the specific circumstances of Ms E's money, fairly applied a hold. Commerce has explained after 190 days (from 31 August 2025) it will release the money.

Commerce says this is when the risk is reduced or eliminated, and I think this is a reasonable time, claims against payments to Ms E can take around 180 days to be raised.

Although I realise this is a long time, and I've considered what Ms E's said about her previous selling performance and lack of claims, I think the hold is a reasonable thing for Commerce to do.

Ms E's asked where, in any terms, it says she has to provide invoices or receipts for things she sells. I don't think any set of terms would ever cover every eventuality, but I don't think it's unreasonable for Ms E to be asked about ownership of the things she's selling.

And Ms E has said it's her money Commerce is holding on to. But Ms E agreed to the terms of the Commerce agreement, and this allows it to place any money in her marketplace balance on hold, and stop paying it out.

So, although I accept this money has come from Ms E's sales, I still think Commerce is acting fairly in holding it.

I realise Ms E will be disappointed with this outcome, but I can't fairly say Commerce has made a mistake here, so I can't ask it to do more to resolve things for Ms E.

But, Commerce should ensure Ms E's money is released, or made available for her to pay to her bank account, 190 days from 31 August 2025.

### **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 Ms E to accept or reject my decision before 7 January 2026.

Chris Russ  
**Ombudsman**