

## **The complaint**

P complains eBay Commerce UK Ltd (Commerce) is holding its money.

## **What happened**

P was told by eBay Marketplace (marketplace) it was closing its selling account. Commerce then told P it would hold onto the money in its marketplace balance, over £14,000, for 190 days.

P complained to Commerce, and it said it had reviewed P's marketplace account and thought it was a risk to the marketplace processes. Commerce said P's money was on hold for 190 days to protect against claims.

P brought its complaint to this service, and said it had delivered all its orders, all outstanding disputes were resolved and there was no ongoing risk.

An investigator looked into things but didn't think P's complaint should be upheld. The investigator said they couldn't look at the marketplace's actions in closing P's selling account, but thought Commerce had made a fair decision to hold it money.

The investigator said Commerce had provided information around the level of payment disputes and thought Commerce had made the right decision to hold P's money for 190 days.

P disagreed, and said there was no risk to the money Commerce was holding as any issues had been resolved. It didn't agree Commerce had fairly looked at the payment disputes and felt these overstated the risk. P also said where bank or card chargebacks were initiated there were resolved in favour of P. P felt the 190-day hold wasn't proportionate.

As P didn't agree the complaint has been passed to me to make a final decision.

## **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.

This service can't look at marketplace's decisions, like the one to close P's selling account. But this review by marketplace is what Commerce used to place a hold on the money in P's marketplace account, so I need to consider this decision.

Commerce has told this service the reasons behind the closure of P's selling account, and why this posed a risk to the marketplace and Commerce. But Commerce has also asked this service to keep some reasons 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 he considers it appropriate.*

DISP 3.5.10G says:

*Evidence which the Ombudsman may accept in confidence includes confidential evidence about third parties and security information.*

and DISP 3.8.1R 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.*

I think it's appropriate to keep some of Commerce's information confidential, although I realise this places P in a difficult position of not being able to directly respond to all of Commerce's decisions to say it's a risk.

We've also been provided information and evidence related to the high percentage of payment disputes. As mentioned the decision to suspend the account was marketplace's but from the evidence provided to marketplace by P, I'm satisfied Commerce considered the review marketplace had done, and I'm also satisfied it was reasonable for Commerce to accept this review which showed P was a risk to marketplace.

The reason for keeping some of the information confidential is some of the factors marketplace identified as risky would become common knowledge if shared on every complaint it receives.

This would then mean people intending to act dishonestly would know how to circumvent the checks. I don't believe P intends to act dishonestly, but the way it was running its marketplace account does fall under a risk marketplace isn't willing to take.

But I also have to weigh up Commerce's right to privacy with P's right for natural justice, to see the information Commerce holds so it can fairly defend itself.

Having considered both sides, I still think it's fair for Commerce's information to be kept confidential. I know this will come as a disappointment for P, but both the investigator and I have impartially considered this information.

And having considered what Commerce has said, I think it's made a fair decision to hold P's money for 190 days. I think P poses a risk to marketplace and Commerce and I think holding the money lessens the risk.

P's said it's delivered all its orders and closed all open disputes, so it doesn't feel there's a risk, and says the risk hasn't been explained to it.

Purchases on the marketplace can be disputed by the money back guarantee, but this tends to be limited to 30 days. But chargebacks can be raised up to 120 days after the payment.

And payments made by certain online payment methods have 180 days to raise claims.

I don't think the lack of current disputes means no disputes could be raised during the 190 days hold Commerce has applied.

I think the 190 days is fair, once this period is over P knows the money it gets back is clear of any potential claims. If Commerce was to release money now, then receive claims, this could mean P owes Commerce money.

I think the 190 days is a protective measure for both P and Commerce. And Commerce has

explained it will release the money to P as soon as this period has passed, providing there are no other claims.

I think Commerce has made a fair decision to hold P's money, even though I accept this hold has affected P's cashflow and its ability to pay bills.

But I think this knock on inconvenience is due to a fair and reasonable decision by Commerce to hold P's money, so I can't fairly ask it to compensate P for the effect the hold has had on it.

Because of this, I won't be asking Commerce to do anything more to resolve P's complaint.

### **My final decision**

For the reasons I've explained, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask P to accept or reject my decision before 14 April 2026.

Jag Dhuphar  
**Ombudsman**