

complaint

Mr R complains Tesco Personal Finance PLC is holding him liable for a credit card debt which he says was opened and used by fraudsters.

background

Mr R complained to Tesco about a credit card which had been opened in his name. He said he had not made the application – and neither had he made the transactions on the account. He told Tesco his identity had been stolen.

In November 2017, Tesco issued its final response to Mr R's complaint. It said it was not upholding it and asked that Mr R make a payment towards the balance or they would have to enter a default onto his account.

Mr R then asked this service to look into matters for him – but our investigator did not think he could ask Tesco to do anymore so the matter was passed to me for a final decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint but based on what I have seen, I will not be upholding Mr R's complaint.

My reasons are very much the same as the investigator and in fact, I'm not sure there is much more that I can helpfully add.

Mr R says he did not open this account, did not use the balance and that Tesco has been unfair in holding him liable. But, for the following reasons I don't agree:

- the card was opened using Mr R's genuine details;
- a card was then posted to the address on the account – Mr R's address;
- this card was needed to set up online banking, along with a code which had been sent to the mobile number on the account – Mr R's mobile number;
- balance transfers from two credit cards in Mr R's name were then made onto the Tesco credit card. I fail to see how a fraudster would benefit from doing this;

In the circumstances, I think it is more likely than not that Mr R also made the two further transactions on the account which went to an online gambling website.

I know Mr R submits that his identity had been compromised because he had returned a used old phone. He says fraudsters were able to gain details about him from that. But I'm afraid I just don't find those submissions to be credible. Firstly, there is no evidence in support of Mr R's submissions and secondly, as already mentioned, there would be no benefit to a fraudster to use the account in the way that it has been used.

For those reasons, I can't see that Tesco has done anything wrong by holding Mr R liable for this debt.

my final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 4 March 2020.

Shazia Ahmed
ombudsman