

## **complaint**

Mr P is unhappy that Lloyds Bank PLC prevented him putting money into his online gambling account. Mr P believes that because of this he lost out on a winning bet.

## **background**

I issued my provisional decision, which forms part of, and is attached to, this decision on the 18 September 2018. I asked for Lloyds and Mr P to provide anymore comments or evidence they had by the 2 October 2018.

Lloyds responded saying they accept the decision and have no further comments to add.

Mr P responded with the following points, which I've summarised below:

- Lloyds didn't do adequate security checks – if they had done they would have realised he uses the gambling site regularly. And they should have taken this into account.
- As he's a long term customer of the bank they shouldn't be rigid about terms and conditions and should have used their judgement to not block his card.
- Lloyds shouldn't have blocked his card when he entered the CVV2 code incorrectly and should have given him further opportunities to get it right.

## **my findings**

I've re-considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. And in doing so I've not changed my decision.

Mr P responded to my provisional decision, saying that Lloyds didn't do adequate security checks and if they had done they'd have realised he used the gambling site regularly. I've considered what Mr P has said, and as I explained in my provisional decision Lloyds confirmed they do take into account if a business is used regularly. But it's not the only factor. From what I've seen I think it was reasonable for Lloyds to block the transactions when they did in order to potentially prevent misuse of Mr P's card.

Mr P has argued that as a long term customer of Lloyds, they should have used their judgement to not block his card. And they should have provided him with more opportunities to get his CVV2 code right. In my provisional decision I explained that the terms and conditions of Mr P's account state that Lloyds are entitled to stop or suspend Mr P making payments if they think it's necessary because the transactions may not be genuine. I've thought about what Mr P has said but for the reasons I've explained in my provisional decision, I think it was fair and reasonable for them to do so in this particular instance.

I understand that Lloyds have offered to refund Mr P £16 for call costs, which I believe is still available for him. Mr P should contact Lloyds directly about this.

## **my final decision**

For the reasons explained above, I don't uphold Mr P's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 9 December 2018.

Jeff Burch  
**ombudsman**

Provisional decision

**complaint**

Mr P is unhappy that Lloyds prevented him putting money into his online gambling account. Mr P believes that because of this he lost out on a winning bet.

**background**

On the 11 April 2018 Mr P attempted a number of times to deposit money into his online gambling account using his debit card; however these transactions were blocked by Lloyds. Mr P was unhappy that Lloyds blocked the transactions and asked them to compensate him for the potential losses he suffered from being

unable to place a winning bet. And to switch off their security systems to make sure they never block his card again.

Our investigator looked into Mr P's complaint and thought that Lloyds had acted fairly. She explained that Lloyds had blocked Mr P's card because he'd incorrectly entered the CVV2 code, and didn't respond to attempts to contact him to verify the transactions. Also Lloyds had a responsibility to make sure the transactions were genuine.

Mr P didn't agree with our investigator's opinion. He felt strongly that Lloyds should have taken into account his regular use of the gambling site and that any winnings would have been placed back into his online gambling account which no one else would have been able to access. Mr P felt this therefore questioned why anyone other than him would wish to put money into his online gambling account.

After an initial review of the case, I requested more information from Lloyds about what had happened. They explained their systems had applied a standard block to the account after the initial transaction prompted security concerns and that Mr P had then incorrectly entered the CVV2 number – which is a number on the back of Mr P's debit card, used as a security measure. A block was placed only on transactions to the gambling site.

Internal records from Lloyds show they attempted to contact Mr P within minutes of the card being blocked. Two attempts were made at 14:22 and 14:23 – although it's not clear whether these were by phone or by text. Mr P has said no one tried to contact him. Lloyds' records show Mr P contacted Lloyds himself at 14:42, the card was then unblocked and he was able to have full use of his card again.

### **my provisional findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. In doing this I've come to the same conclusion as the investigator but for slightly different reasons.

I've considered what obligations Lloyds have when managing Mr P's account. And to help with this I've looked at the terms and conditions. In summary, the terms and conditions of his account state that Lloyds are entitled to stop or suspend Mr P making payments if they think it's necessary because the transactions may not be genuine.

I'm satisfied the terms and conditions give Lloyds the authority to stop Mr P making payments if they had concerns. It's common practice for banks to have security checks in place. What I need to consider is was it fair and reasonable for them to do so in this particular instance.

Lloyds attempted to contact Mr P within minutes of the block to confirm if the transactions were genuine. And if Mr P had been able to respond to the messages, transactions to the gambling site would likely only have been blocked for a matter of minutes. Even so, after making phone contact with Lloyds, Mr P was able to deposit to his account only 20 minutes after it was blocked. I don't think this is an unreasonable amount of time for Lloyds to have resolved the concerns with Mr P once he got in contact with them.

Mr P has argued that Lloyds should have been aware he uses the gambling site regularly and therefore they shouldn't have blocked the transactions. Lloyds have confirmed this is something they do take into account; however this isn't the only factor when assessing whether they think transactions may be genuine. I'd like to assure Mr P that I've thought carefully about what he said but from what I've seen, I think it was reasonable for Lloyds to block the transactions when they did in order to potentially prevent any misuse of Mr P's card.

Mr P has asked Lloyds to turn off their security systems to make sure they never block his card again. I understand Mr P's disappointment at missing out on a winning bet and the impact security checks had on him in this instance. But I won't be asking Lloyds to action this, I'll explain why. Security measures and blocks are in place to protect customers like Mr P from having their cards misused. And Lloyds has a statutory obligation to consider any security concerns.

Although I understand this has been frustrating for Mr P I think it was reasonable for Lloyds to have security concerns, in this case, and for them to block Mr P's transactions. I also think Lloyds took steps straight away to contact Mr P and they were able to quickly resolve their security concerns after being able to speak to him. So for the reasons above I won't be asking Lloyds to do anymore here.

I understand that Lloyds have offered to refund Mr P £16 for call costs, which I believe is still available for him. Mr P should contact Lloyds directly about this.

**my provisional decision**

For the reasons above, my provisional decision is that I don't uphold Mr P's complaint.

Both parties should now let me know if they have any further submissions or evidence they would like me to consider.

Jeff Burch  
**ombudsman**