

complaint

Ms B complains that despite paying cash for some purchases they were also charged to her store card provided by NewDay Ltd. She wants a refund.

background

The retailer said the receipts Ms B has shown the payments for both transactions were made with a store card not cash. The store has also double checked its takings for the day and they balance.

NewDay says that Ms B opened the store card account and a temporary card was issued allowing purchases to be made straight away. She may've been asked for a debit or credit card by the store staff but that's only for proof of identity not to debit payments from. Purchases on the new card allow a discount to be applied. There's no evidence Ms B paid with cash.

Our adjudicator felt this complaint shouldn't be upheld. She said

- NewDay and the retailer have provided evidence to show the transactions were made in store using a credit card. Ms B also hasn't been able to provide any evidence that the payments were made with cash and she says she received a discount on the purchases.
- On the available evidence she isn't satisfied the purchases were made using cash. It's also unlikely Ms B would've been given the discount if using cash as it relates to credit card payment. It's more likely the purchases were made on the card. She's not persuaded NewDay has made an error.

Ms B remains unhappy and has asked for an ombudsman review. She wants a refund.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Some of the evidence in this case is incomplete, inconclusive or contradictory. So, I've made my decision based on what I think is more likely to have happened than not.

I agree with the adjudicator's conclusions for the same reasons.

The receipts provided by Ms B show she paid for these purchase on her card. And the retailer says its takings for the day balance. It's also been pointed out that although Ms B may've been asked for a debit or credit card to verify her identity, it wasn't used for the payments. And if she'd paid with cash, she wouldn't have been given the discount shown on the receipts.

Taking everything into account I don't think on balance that Ms B has shown that she paid with cash. And I think it's more likely she paid for these two purchases on her card, than not. I'm not persuaded that Ms B was charged twice for these two purchases as she suggests. And I don't think I can fairly or reasonably ask NewDay to make any refund to her as she'd like.

Overall I don't see any compelling reason to change the proposed outcome in this case.

my final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms B to accept or reject my decision before 13 June 2019.

Stephen Cooper
ombudsman