

complaint

Mr M complains that Nationwide Building Society failed to prevent or refund some transactions on his account he says he didn't make.

background

In December 2016 Mr M went abroad on holiday. While he was away, 35 debit card transactions were made on his current account which he insists were not made by him. These were payments to a gambling website. In total they came to over £6,000. Mr M came home in December, and in March 2017 he reported the payments to Nationwide.

Nationwide raised a chargeback on the payments. But the website said that the payments had been authorised by Mr M. So Nationwide said there was nothing else it could do.

Mr M complained to our Service. In response, Nationwide said that it was suspicious that Mr M had waited until March to report the theft of so much money from his account, especially as he had logged on to his account regularly in January 2017. And during December, over £5,000 had been credited to his account from the same website.

Our adjudicator did not uphold this complaint. She said it wasn't clear how a third party could have accessed Mr M's gambling website account and obtained his debit card details, and used them both without his knowledge.

Mr M said it must have been done by computer hackers somehow. He said he had told Nationwide he was going on holiday, so Nationwide should have known the payments were suspicious and stopped them. He asked for an ombudsman's decision.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. Having done so, I do not uphold Mr M's complaint. I will explain why.

Just because Mr M was abroad does not mean that he could not have made these payments, which were done on the internet. And just because he told Nationwide he was abroad does not mean that Nationwide should have stopped them, or flagged them as suspicious. Mr M used the same gambling website both before and after going abroad, and those payments are not in dispute.

I've seen Mr M's Nationwide account statements, and I've added up all the payments to the website made while he was abroad. They come to well over £6,000. He accessed his account online in January, so I think he would have noticed these payments. I think that if he really hadn't made them, then he would have reported them at once instead of in March.

Over £5,000 was paid from the same website to Mr M's Nationwide account during the same period. It's not clear why a fraudster would hack into Mr M's account and gamble with his money if the winnings were being paid to Mr M and not to the fraudster.

For these reasons I think it's more likely that Mr M made these payments than that someone else made them. Given the available evidence, I don't think there is anything else Nationwide could or should have done to get him his money back.

my final decision

So my decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 29 August 2017.

Richard Wood
ombudsman