

complaint

Mr C says Lloyds Bank Plc is wrong to hold him responsible for a cash withdrawal from a cash machine which the bank has debited to his account.

background

The disputed withdrawal took place shortly before another cash withdrawal which Mr C accepts he made.

Having carefully considered all the evidence and circumstances, our adjudicator did not think the disputed withdrawal could have been made by a fraudster. She noted in particular the bank's evidence which appeared to show that the disputed withdrawal was made using Mr C's genuine bank card and PIN.

The adjudicator did not think it likely Mr C's card was removed and replaced without him noticing it. She also noted the cash balance in Mr C's account was viewed before the disputed withdrawal and a fraudster could have withdrawn more money.

Mr C had confirmed he had not written his PIN down and the adjudicator could also not identify any opportunity for a fraudster to oversee Mr C's use of his PIN on the day in question, before the disputed withdrawal took place.

Mr C disagreed with the adjudicator's conclusions and asked for this review of his complaint by an ombudsman.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

I am sorry to disappoint Mr C but I think the adjudicator reached the right conclusions in this case. I have to base my findings on the evidence. This clearly – for the reasons already given - does not suggest the disputed withdrawal was carried out by a fraudster. That being so, I cannot fairly ask the bank to reimburse Mr C.

my final decision

I do not uphold Mr C's complaint.

Roger Yeomans
ombudsman