

## **The complaint**

Mr B is unhappy because Lloyds Bank PLC declined his chargeback claim.

## **What happened**

Mr B purchased several items from a merchant on 28 November 2022 and paid using his Lloyds card.

Mr B says he didn't receive the items. He says that on the day of delivery he received missed calls from the courier and then a text saying the items had been left in a safe place. Mr B says he's previously asked the merchant not to leave items outside his property.

Mr B contacted Lloyds to raise a chargeback. Lloyds raised a chargeback under the reason "goods not received" and a temporary credit of £193.54 was applied to Mr B's account.

The merchant challenged the chargeback and provided evidence to Lloyds which showed that the items had been delivered to Mr B. Lloyds sent an email to Mr B advising him of the challenge and asking him to provide further information.

Lloyds says it didn't receive any further information from Mr B. It declined the claim and re-debited Mr B's account.

Mr B was unhappy with the decision to decline the chargeback and complained to Lloyds. Lloyds didn't uphold the complaint. It said that Mr B hadn't provided the further information it had requested and that because of his lack of response and the evidence provided by the merchant the chargeback was declined.

Mr B remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. He said that Lloyds had shown that it had sent the information request to Mr B and that Mr B hadn't responded. The investigator said he didn't think Lloyds had made an error when it declined the chargeback.

Mr B didn't agree so I've been asked to make a final decision.

## **What I've decided – and why**

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

When dealing with chargebacks, banks and providers of credit need to do so within the remit of the rules set by the relevant card scheme.

Chargebacks are a voluntary scheme. How it works is that the card issuer checks the complaint against the possible chargeback reasons to see what sort of evidence is required. This is so it can decide whether or not it can make a successful claim for the consumer. Card issuers don't have to submit claims and they will only do so if they believe they have evidence which will back up a chargeback claim so it will be successful. This service expects

card issuers to help if they can, but we don't expect them to raise a chargeback if there is little prospect of success.

I've looked at the available information to decide whether Lloyds acted reasonably when it declined the chargeback.

When the merchant challenged the chargeback, it provided tracking information to Lloyds which showed that the goods had been delivered to Mr B's address.

Lloyds sent an information request to Mr B asking him for a copy of the invoice for the goods and evidence of whether the items were left on the day of delivery. Mr B didn't respond to the information request.

Mr B has told this service that he didn't receive the information request. He says he would've responded to it if he had received it. But Mr B has also told this service that he doesn't have any evidence of where the items were left on the day of delivery. He's told this service that he received a text from the courier to say that the items had been left in a safe place but he no longer has this text message and so can't provide it to support his claim.

I can see from Lloyd's system notes that the information request was sent to Mr B on 30 December 2022. I can't say why Mr B never received it as it appears to be correctly addressed to Mr B.

Even if Mr B had received the email, he's said that he didn't have any further evidence to provide.

Chargeback is an evidence based process. Having considered the evidence provided by both parties here (Mr B and the merchant), I don't think that Lloyds acted unreasonably when it declined the chargeback.

For the reasons I've explained, I'm unable to say that Lloyds has made an error, or that it has acted unreasonably in declining the chargeback.

### **My final decision**

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 8 November 2023.

Emma Davy  
**Ombudsman**