

The complaint

Miss F complains that HSBC UK Bank Plc refused to raise three chargeback claims, and then closed her account.

What happened

Miss F asked HSBC to challenge three debit card payments totalling £179. Two of them had been made in July 2021, and one in October 2021. There is a dispute about when she first asked HSBC to refund them. HSBC says she first raised the matter in August 2022, by which time it was too late to raise a chargeback dispute, because the time limits under the chargeback rules had expired. Miss F is adamant that she did so much earlier than that, and that she was in time. However, HSBC refunded the transactions as a gesture of good will.

In September HSBC wrote to Miss F to tell her it was going to close her account. She says she did not receive this letter for over three weeks. She asked HSBC not to close her account, but in November it was closed. She brought this complaint to our service, about the closure of her account and about how HSBC had dealt with her request to raise chargeback disputes about the three payments.

Our investigator did not uphold this complaint. He said that he had seen no evidence that Miss F had mentioned those three transactions to HSBC earlier than August 2022, and that HSBC had no record of any earlier communication about them. He said that Miss F appeared to have asked for several transactions to be charged back during 2022, and so it was possible that she had just lost track of which transactions she had challenged. But HSBC had refunded the three payments to her as a gesture of good will, and he wouldn't have asked it to do more than that if he had upheld her complaint. He said that HSBC had been entitled to close her account, and had given her sufficient notice.

Miss F did not accept that decision. She insisted that she had chased HSBC about the transactions for a year, with no reply. She asked for an ombudsman to look into her case.

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.

Having done so, I do not uphold it. There is no evidence to support Miss F's contention that she asked for these refunds in 2021, and the only evidence I do have – an email she sent HSBC on 31 August 2022 – says she wants to dispute *"two separate transactions for either £50 or £55, I am sorry, I cannot recall. It will be between the dates of Jan 2021 to now."*

Besides the three transactions this complaint is about, Miss F disputed some other payments as well, and so the investigator may be right about her not recalling which ones she had raised and which she had not raised yet. Whatever the truth of that, these three have now been refunded. (Even if HSBC did fail to respond to earlier requests made by Miss F – and I do not think that it did – I still do not think it would be proportionate to award Miss F the £1,500 she has asked for, nor her revised request of £600.)

HSBC's records show that it wrote to Miss F about closing her account on 2 September, and her complaint about that letter also mentions that was the date on it. If it was delivered late, that is not HSBC's fault. Her account was closed on 3 November. That is adequate notice, and so the account was closed properly.

My final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss F to accept or reject my decision before 23 October 2023.

Richard Wood
Ombudsman