

The complaint

Miss T complains about a declined buyer dispute claim with PayPal (Europe) Sarl et Cie SCA trading as PayPal.

What happened

The details of this complaint are well known to both parties, so I will not repeat them again here. The facts are not in dispute so I will focus on giving the reasons for my 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.

Having done so, I agree with the conclusions reached by the investigator for these reasons:

- PayPal have declined this goods not received claim as it says it has seen evidence taken from the couriers website that the item was delivered successfully.
- I've seen that information and I don't agree. The tracking information has no address and only lists the street and town. The street in question has several other properties on it where it could've been delivered to.
- Miss T has also supplied evidence from the courier company that says the courier delivered it firstly to a lady at the gate of the property as the buzzer wasn't working. It then said the driver went back the following day after Miss T made contact and said she hadn't received the package and the driver found the address it delivered the package to, but the lady said she had passed it on to Miss T.
- As the couriers story has changed drastically over the course of the two days it was due to be delivered, I'm satisfied that there is a clear discrepancy as to what happened to Miss T's package. The lack of detail on the tracking note also satisfies me that this information can't be relied on to evidence the parcel was delivered successfully to Miss T.
- I understand PayPal have said a signature was provided for the package. Having seen the signature, I think it's unlikely to be that of Miss T's. The box where Miss T was required to sign has been crossed out and just a digital printed name provided. Given everything I've said above, I find it was most likely the printed digital signature was completed by either the courier or the lady the parcel was incorrectly handed to.
- In summary, based on everything I've seen from both parties, I'm not satisfied the evidence used by PayPal when assessing Miss T's claim does prove Miss T received her package successfully. In these circumstances, PayPal should settle the claim in-line with their Buyer Protection Policy as I'm satisfied Miss T has provided enough evidence to PayPal to show she didn't receive the package.

Putting things right

PayPal should settle the claim in-line with the Buyer Protection Policy by refunding Miss H the total cost of the item that was lost.

My final decision

I uphold Miss T's complaint and instruct PayPal to settle Miss T's claim in full.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss T to accept or reject my decision before 26 July 2023.

Tom Wagstaff
Ombudsman