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**From:** diana salmon [mailto:

**Sent:** Friday, 13 June 2008 10:59 AM

**To:** Adjudication

**Subject:** Submission Against Ebay proposal for Forced Paypal Payments - N93365

Dear Sir,

I have been following with much interest the recent Application by Ebay to enforce all transaction on their auction website to use Paypal for payment processing.

I thought it might be worthwhile to add information about a unpleasant experience I had with both Ebay and Paypal.

Last year in early July I listed for sale a piece of my own personal jewellery.

The item being a very valuable diamond ring.

The item was purchased on ebay on 9th July, 2007 for the sum of 2300 and subsequently paid for, the buyer using a paypal account.

I withdrew the amount from my paypal account the following day, reducing my paypal balance to nil.

The following day I mailed the diamond ring using registered and fully insured mail to cover the total, postage cost was \$32 for this full cover.

Three months passed and on 2nd October I was informed by paypal that the purchase was fraudulent (three months later), and that they had debited my account for the full amount.

I found myself in the situation of having no diamond ring and and now no money for the sale of the ring.

This led me to making numerous telephone calls to paypal (in Canada) as their is no telephone presence in Australia.

On each of these telephone calls I was assured that I would not have any problems with having my money returned as I had full registered insurance and had all the paperwork from Australia post retaining to this instance.

I was asked to submit copies of all my paperwork and they would investigate.

Over the period of the next 6 weeks my paypal account was frozen and overdrawn to the tune of \$2330 due to their chargeback.

I emailed paypal on dozens of occasions to try and fight this claim, most of my enquiries were not answered, and when paypal did respond they would then direct me to 'dead' paypal email sections from which all my communications would be returned with out response.

I contacted many many people within the ebay and paypal network in Australia, and when on the rare occasion I did receive responses they were at very best untruths and most misleading.

In the meantime, any payment I did receive from any other item I sold was taken and frozen by paypal against this alleged debt, against my will.

These people lied about receiving copies of my paperwork on three separate occasions, their behavior was most <text excluded>.

Finally they stated that they were finished with my file (and found against me, even though I could provide and prove that the said item had been posted and received by the buyer), and demanded that I make an immediate cash transfer to clear the debt balance of my paypal account or they would commence legal action.

They refused to compensate me under the so called 'sellers protection scheme' as I was not living in the US, even though they accepted and processed they payment for the item I sold, and wiped their hands of my plight and even had the audacity keep all commission charges from both the ebay sale and the paypal transaction even though it was a charge that was reversed and to charge me \$25 in addition for addressing my complaint.

I requested that they give me the name of the bank that instigated the chargeback and paypal refused point blank and threatened that I would have to take them to court to try and obtain any information.

This company uses <text excluded> business practises and I am of the opinion, due to my experiences as stated above will proceed to use paypal as a weapon to intimidate and manipulate commercial transactions to their own benefit and not to the benefit of the actual parties of transactions conducted using their so called 'services'.

Over the past 8 years I have used ebay to buy and sell personal items and have used bank deposit as a method to send and receive many payments. I have never had any problems with the Australian banking system but have had many using paypal.

I still retain all communications and paperwork to and from paypal pertaining to the above matter and am most happy to supply any or all of this information to substantiate my complaint as detailed above.

Many thanks

kind regards

Diana Salmon

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