

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday, 22 July 2021 5:22 PM  
**To:** Digital Monitoring  
**Subject:** eBay feedback (Seller)

**Categories:** Actioned

Hello team,

I would like to share my experience with eBay as a seller, which your inquiry may want to address.

My issue with eBay is related to power imbalance and, I believe, breach of terms and conditions of promotions that eBay constantly engaged in and this, I think, is due to their abuse of the market position.

Here is the entire story - this is just one example but in my experience, it happens with all items that I happen to sell through the Gumtree promotion.

As you may know, eBay owns Gumtree - a popular classifieds site in Australia. When you list an item on Gumtree, eBay offers you to list up to two items on eBay auctions for free (that is, they claim no final value fees or listing fees to be paid on the sale). The current link to this promo's T&C's is here <https://sellercentre.ebay.com.au/promo/c2c-baytree-promo-7289>

On April 20 2021, I listed a second-hand phone for sale on Gumtree and using the same promo, listed it on eBay on the same day [REDACTED]. Mobile phones usually have a good resale value and generate a lot of interest so no wonder eBay would like to attract these listings to their site as it increases the traffic.

on May 5th 2021 the phone was sold [REDACTED]. However, eBay deducted the fees as usual disregarding the promotion conditions (remember, I was promised no listing or final value fees).

I immediately reached out to their support and was told it's not their problem as they will always deduct the fees (not quite exactly according to T&Cs of the promotion) and after two weeks, they will decide either to refund these fees or not.

This is quite a departure from the promo, I thought. There is a significant difference between claiming fees and then refunding comparing to not charging the fees at all - what the T&Cs imply.

Now I was put in a position that I have to beg eBay to refund me the fees that should not have been charged in the first place!

Ok, no worries I spoke with technical support from eBay after 14 days, then 7 days after that and in total not less than 5 support inquiries and a couple of phone calls. There was no cooperation in any shape or form from eBay other than "we'll consider your request" without any status update or resolution timeline provided.

When I pointed out to the fact that their own T&Cs for the promotion imply that it's not a refund, it's a free sale that I should be getting - it was all ignored as "eBay internal process" was deemed more important than any of my consumer rights.

Eventually, on July 1st 2021 (almost 2 months after the sale) I got my fees refunded.

I really believe this process is deliberately made long and tiresome enough so the majority of sellers would give up fighting the eBay machine and forget about these fees. This is also the direct result of eBay owning both platforms so they can drag the "investigation" process indefinitely and provide no explanation should they deem the promotion not applicable - the process give no evidence to the seller that they indeed used the promotion, so it's all in hands of eBay and their subsidiary - Gumtree. The power imbalance here is astonishing. They literally can say, we don't see you used a Gumtree promotion, so we'll charge you fees - because they hold all the evidence - if I am to object - I won't have a leg to stand on.

This is just one of the examples and the most recent one but I had to fight for a fees refund for *every* sale where I used the Gumtree promotion. Before April 2021, these were easier to resolve because eBay would list the fees in the current statement but they would not be charged until the next billing cycle through PayPal (who have an excellent customer protection service) - therefore I was always able to reach out to support to have the fees waived before payment. Now eBay controls the entire cycle from Gumtree posting to bank payment and sellers are put in a position where we have to beg eBay to refund fees that should not have been taken for items at first place - remember there is no evidence we can provide - so we rely on eBay honesty (really?).

I sincerely believe such arrogant and anti-consumer behaviour is not acceptable in Australia.

Hope this submission will help to build a case for a change in eBay behaviour and stop this monopolistic abuse of power where we left without classifieds platforms that actually compete with each other.

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Best regards,

Mobile: