

# AN AFFIDAVIT OF UNAUTHORIZED/IMPROPER ENTRY FOR ACH DEBITS TO CONSUMER ACCOUNTS ONLY

## Written Statement of Unauthorized Debit

Business customers may use this form, however, most business transactions must be returned with in 24 hrs. of settlement.

State of \_\_\_\_\_

County of \_\_\_\_\_

I, \_\_\_\_\_ (*customer name*), state that I have examined the attached statement or other notification from \_\_\_\_\_ (*financial institution name*) indicating that an ACH debit entry was charged to my account number: \_\_\_\_\_ on \_\_\_\_\_ (*date*) in the amount of \$ \_\_\_\_\_, and that the entry was unauthorized or improper.

<sup>1</sup> An unauthorized debit (with the exception of TEL entries) means an electronic funds transfer from a consumer's account initiated by a person who was not authorized by the consumer via a written authorization that was signed or similarly authenticated to initiate the transfer. With respect to TEL entries, an unauthorized debit means an electronic funds transfer from a consumer's account initiated by a person not authorized by the consumer, via an oral authorization, to initiate the transfer. An electronic funds transfer in an amount different than that authorized by the consumer or that result in a debit to the consumer's account earlier than that authorized by the consumer is also an unauthorized debit. An unauthorized debit DOES NOT include an electronic funds transfer initiated with fraudulent intent by the consumer or by any person acting in concert with the consumer.

<sup>2</sup> An improper debit means a Re-presented Check (RCK), Point-of-Purchase (POP), Accounts Receivable (ARC), Back Office Conversion (BOC), or a CCD entry to a consumer account as described in Section II below.

For **Unauthorized Entries**, I further state that (*check one*):

**Unauthorized** – I did not authorize, and have not ever authorized, \_\_\_\_\_ (*Company name*) to originate one or more ACH entries to debit funds from my account at this Financial Institution.

**I Authorized but**– I authorized \_\_\_\_\_ (*Company name*) to originate one or more ACH entries to debit funds from my account at this Financial Institution, *but*:

- The amount debited is different from the amount I authorized to be debited. The amount I authorized is \$ \_\_\_\_\_, or;
- The debit was made to my account on a date earlier than the date on which I authorized the debit to occur. I authorized the debit to be made to my account on (or no earlier than) \_\_\_\_\_, 20\_\_.
- Other (*specify*) \_\_\_\_\_.

**Authorization Revoked** – I authorized \_\_\_\_\_ (*Company name*) to originate one or more ACH entries to debit funds from my account, but on \_\_\_\_\_, 20\_\_ I revoked that authorization by notifying \_\_\_\_\_ (*Company name*) in the manner specified in the authorization.

For **Improper Entries**, I further state that the debit from \_\_\_\_\_ was improper due to (*check one*):

- Required notice was not provided in accordance with requirements of the NACHA Rules [RCK, ARC, POP, BOC]
- Signatures on the item are not authentic or authorized, and/or the item has been altered [RCK, ARC, POP, BOC]
- The amount of the entry was not accurately obtained from the item or source document [RCK, ARC, POP, BOC]
- The item is ineligible, or the source document is improper to be initiated as an ACH entry [RCK, ARC, POP, BOC]
- Both the item or source document and the ACH entry have been presented for payment [RCK, ARC, POP, BOC]
- I opted out of check conversion activity [ARC, BOC]

I further state that the debit transaction was not originated with fraudulent intent by me or by any person acting in concert with me, and that the signature below is my own proper signature. I certify that the foregoing is true and correct and that I am an authorized signer or have authority over the account.

\_\_\_\_\_  
Customer's Name Printed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bank Representative's Name

\_\_\_\_\_  
Customer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bank Representative's Phone Number