



A COMMUNITY FEDERAL CREDIT UNION

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Affidavit of Unauthorized/Improper Consumer ACH Entry

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

I, \_\_\_\_\_ (consumer's name), depose and say 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.

An unauthorized debit (with the exception of TEL entries) means that an electronic funds transfer (EFT) from a consumer's account initiated by a person who was not authorized by the consumer, via in writing that was either signed or similarly authenticated, to initiate the transfer. With respect to TEL entries, an unauthorized debit means an EFT from a consumer's account initiated by a person who was not authorized by the consumer, via an oral authorization, to initiate the transfer. An EFT in an amount greater than that authorized by the consumer or that results 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 EFT initiated with fraudulent intent by the consumer or any person acting in concert with the consumer. An improper debit means a re-presented Check (RCK) entry, Point- of-Purchase (POP) entry, or Accounts Receivable (ARC) entry that meets the criteria described in Section 11 below.

I. For unauthorized entries, I further state that: (check one)

- I did not authorize, and I have not ever authorized, in writing \_\_\_\_\_ (company) to originate one or more ACH entries to debit funds from any account at this financial institution (R10).
I authorized \_\_\_\_\_ (company) to originate one or more ACH entries to debit funds from my account, but on \_\_\_\_\_ (month/day/year) I revoked that authorization by notifying: Company Name, Address, City, State, Zip: \_\_\_\_\_ in the manner specified in the authorization (R07).
I authorized \_\_\_\_\_ (company) to originate one or more ACH entries to debit funds from an account at \_\_\_\_\_ (financial institution), but;
the amount debited exceeds the amount I authorized to be debited. The amount I authorized is \_\_\_\_\_
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 \_\_\_\_\_ (month/day/year) (R10).

II. For Improper entries, I further state that (check one):

For RCK entries:

- the item to which the entry relates is ineligible to be initiated as an RCK entry (R51);
the required notice stating the terms of the re-presented check entry policy was not provided by the Originator in accordance with the requirements of the NACHA ACH Operating Rules (R51);
all signatures on the Rem to which the RCK entry relates are not authentic or authorized, or the Rem has been altered;
the amount of the RCK entry was not accurately obtained from the Rem (R51); or
both the RCK entry and the Rem to which the RCK entry relates have been presented for payment (R53\*)

For ARC entries:

- notice was not provided by the Originator in accordance with the requirements of the NACHA ACH Operating Rules (R10);
the source document and the ARC entry to which it relates have been presented for payment (R37\*); or
the amount of the ARC entry was not accurately obtained from the source document (R10); or
improper source document (R10).

For POP entries:

- the debit entry for which the Receiver is seeking re-credit was not authorized by the Receiver (R10);
the source document used for the debit entry is improper (R10); or
both the source document and the POP entry to which it relates have been presented for payment (R37\*)

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 under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_ Signature \_\_\_\_\_

Acknowledged by financial institution branch #: \_\_\_\_\_ Employee: \_\_\_\_\_ Date: \_\_\_\_\_

\*Effective March 15, 2002