

# Fort Meade Community Credit Union

## Written Statement Under Penalty of Perjury of Unauthorized/Improper ACH Debit Activity

Before completing this statement, please read the information that follows it ("Important Information About Completing This Form").

I \_\_\_\_\_, say that I have examined the account statement or other notification sent by Fort Meade Community Credit Union indicating that an Automated Clearing House (ACH) debit entry was posted to my Account No. \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_\_ in the amount of \$\_\_\_\_\_, and that the debit was unauthorized or improper.

Please mark one box from section I or II, whichever is applicable, to complete this statement.

1. For **unauthorized** debit entries, I further say that: (check one)

- I did not authorize and have not ever authorized \_\_\_\_\_ to initiate one or more ACH entries to debit funds from any account at Fort Meade Community Credit Union.
- I authorized \_\_\_\_\_ to initiate one or more ACH entries to debit funds from my account, but on \_\_\_\_\_, 20\_\_\_\_\_ I revoked that authorization by notifying \_\_\_\_\_ in the manner specified in our agreement.
- I authorized \_\_\_\_\_ to initiate one or more ACH entries to debit funds from an account at Fort Meade Community Credit union, but
  - The amount debited exceeds the amount I authorized to be debited.
  - The debit was made earlier than the date in which I authorized the debit to occur.

2. For **improper** electronic check entries, I further say that: (check one)

- The notice stating the terms of the Originator's re-presented check entry policy or converted check entry policy was not provided to me prior to the date the debit entry posted to my account.
- The signatures on the check related to the debit are not authentic or authorized.
- The check related to the debit has been altered
- In the case of Accounts Receivable Entry, I notified the Originator not to convert my check.
- The check related to the debit was paid from my account, as well as the ACH debit.

I further say that the debit transaction was not initiated with fraudulent intent by me or any person acting in concert with me, and that the signature below is my own proper signature.

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Print name: \_\_\_\_\_

Please contact a Fort Meade Community Credit Union representative if you need assistance in completing this form. You may call 410-551-5800 or 5801.

## Important Information About Completing This Form

This form, Written Statement Under Penalty of Perjury of Unauthorized/Improper ACH Debit Activity, has been issued pursuant to your recent communication with Fort Meade Community Credit Union regarding an ACH debit to your account. Please complete and return this form to Fort Meade Community Credit Union.

Fort Meade Community Credit Union must obtain a signed, written Statement Under Penalty of Perjury from a member to return a debit entry that a member claims is unauthorized or improper. Fort Meade Community Credit Union is required to maintain a copy of the member's signed statement for at least one year after the return of the debit entry and to be able to reproduce it within sixty days of a request for a copy by the Originator's financial institution. By returning the debit entry, Fort Meade Community Credit Union warrants that it has received the signed statement. Any breach of this warranty will make the member liable for the debit transaction, in accordance with the National Automated Clearing House Association's Operating Rules.

**Please refer to the following definitions when completing this form.**

An **Originator** means a person, corporation, or other entity that initiates ACH entries (e.g., merchant, creditor, etc.).

An **Accounts Receivable Entry** is a transaction in which an Originator has received a check through the U.S. mail or payment drop box for the payment of goods or services and collected the check by converting it to an ACH debit entry.

An **unauthorized** debit means an electronic fund transfer:

- From a member's account initiated by a person who was not authorized to initiate the transfer.
- That occurs after authorization has been revoked by the member with the Originator.
- In an amount greater than the amount authorized by the member.
- That results in a debit to the member's account earlier than the date authorized.

An **improper** debit only applies to ACH debits initiated by Originators to re-present previously returned checks for payment through the ACH system or to convert checks to ACH debit entries. An improper debit means an electronic fund transfer that occurred when:

- The Originator did not provide notice stating the terms of the check re-presentation policy or check conversion policy to the member.
- All signatures on the check to which the debit entry relates are not authentic or authorized.
- The check to which the entry relates has been altered.
- The member notified the Originator not to convert their check to an ACH debit entry.
- The check related to the debit entry was paid, as well as the ACH debit.