

WRITTEN STATEMENT UNDER PENALTY OF PERJURY
An Affidavit of Unauthorized/Improper Entry (For Consumer ACH Debits Only)

State of _____

County of _____

I, _____ (consumer's name), state that I have examined the attached statement (or other notification) from _____ (financial institution's name) indicating that an ACH debit entry was charged to my account _____ (account number) on _____ (MM/DD/YY), in the amount of \$ _____, and that the entry was unauthorized¹ or improper².

¹ An unauthorized debit means that an electronic funds transfer (EFT) from a consumer's account was initiated by a person who was not authorized by the consumer (via written authorization signed or similarly authenticated or, in the case of a TEL transaction, via oral authorization) to initiate the transfer; or was initiated for 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. NOTE: An unauthorized debit DOES NOT include an EFT initiated with fraudulent intent by the consumer or by any person acting in concert with the consumer.

² An improper debit means a Re-presented Check (RCK), Point-of-Purchase (POP) or Accounts Receivable (ARC) entry which meets the criteria described in Section II below.

Section I. I further state that: (check one)

Unauthorized -

I did not authorize, and have never authorized, _____ (the Company name) to originate one or more ACH debit entries to my account at this financial institution.

I Authorized but -

I authorized _____ (the Company name) to originate one or more ACH/Draft debit entries to my account at this financial institution, but:

The amount debited exceeds 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) _____ (MM/DD/YY).

Other (specify) _____

Authorization Revoked -

I authorized _____ (the Company name) to originate one or more ACH debit entries to my account, but on _____ (MM/DD/YY) I revoked that authorization by notifying the Company at _____ (Company address, City, State, Zip) by phone, letter, or other _____

Section II. I further state that: (check one)

The debit was improper due to the following reason - (check one)

I was not provided the required notice [RCK][ARC] or receipt. [POP]

The signatures on the item are not authentic or authorized, and/or the item has been altered. [RCK][ARC][POP]

The amount of the entry is different from the amount of the check. [RCK][ARC][POP]

The item is ineligible to be initiated as an ACH entry. [RCK][ARC][POP]

Incorrect Standard Entry Class (SEC) Code was used. [PPD vs. CCD]

Both the check and the ACH entry posted to my account. [RCK][ARC][POP]

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 _____