

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 _____, 20__ in the amount of \$_____, and that the entry was unauthorized¹ or improper².

¹ 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 writing that was signed or similarly authenticated to initiate the transfer. With respect to TEL entries, an unauthorized debit means an electronic fund 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 fund transfer 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 electronic fund transfer 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), Accounts Receivable (ARC), Back Office Conversion (BOC), or a CCD entry to a consumer account as described in Section II below.

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

- Unauthorized [R10]** – 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 [R10]**– 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 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) _____, 20__.
 - Other (specify) _____.
- Authorization Revoked [R07]** – 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.

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

The debit was improper due to the following reason – (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]
- Incorrect Standard Entry Class (SEC) Code was used [CCD entry posting to a consumer account]

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 _____