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## Sample A—Written Statement of Unauthorized Debit

I, \_\_\_\_\_, state that I have examined the attached statement or other notification from \_\_\_\_\_ [Bank] indicating that an ACH debit entry was charged to my Account No. \_\_\_\_\_, on \_\_\_\_\_, 20\_\_ in the amount of \$\_\_\_\_\_, and that the debit was unauthorized.

An unauthorized debit (with the exception of TEL entries) means an electronic fund transfer from a customer's account initiated by a person who was not authorized by the customer, via a writing that was either 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 who was not authorized by the consumer, via an oral authorization, to initiate the transfer. An electronic fund transfer in an amount different than that authorized by the customer or that results in a debit to the customer's account earlier than that authorized by the customer also is an unauthorized debit. An unauthorized debit does not include an electronic fund transfer initiated with fraudulent intent by the customer or any person acting in concert with the customer. An unauthorized debit includes a debit that was improperly originated or results from a deceptive authorization.

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

\_\_\_ I did not authorize, and have not ever authorized, \_\_\_\_\_ (company name) to originate one or more ACH entries to debit funds from any account at \_\_\_\_\_ [Bank]. [R10-01]

\_\_\_ \_\_\_\_\_ (company name) originated unauthorized ACH entries from my consumer account at \_\_\_\_\_ [Bank] and improperly used a Corporate SEC Code. [R10-02]

\_\_\_ \_\_\_\_\_ (company name) originated unauthorized ACH entries from my corporate account at \_\_\_\_\_ [Bank] and improperly used a Consumer SEC Code. [R10-03]

\_\_\_ The terms of the authorization provided by \_\_\_\_\_ (company name) were unclear, deceptive, or otherwise invalid. [R10-04]

\_\_\_ I do not recognize \_\_\_\_\_ (company name), the Originator of the ACH debit. [R10-05]

\_\_\_ 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 \_\_\_\_\_ in the manner specified in the authorization. [R10-06]

\_\_\_ \_\_\_\_\_ (company name) did not provide notice in accordance with the requirements of the *NACHA Operating Rules*. (ARC, BOC or POP entries) [R10-07]

\_\_\_ I opted out of check conversion activity with \_\_\_\_\_ (company name). (ARC or BOC entries) [R10-08]

\_\_\_ The source document used was improper. (ARC, BOC or POP entries)[R10-09]

\_\_\_ I authorized \_\_\_\_\_ (company name) to originate one or more ACH entries to debit funds from an account at [Bank] but

\_\_\_ the amount debited is different than the amount I authorized to be debited. The amount I authorized is \$\_\_\_\_\_. [R10-10]

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\_\_. [R10-11]

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- \_\_\_ Both the source document and the entry to which it relates have been presented for payment. (ARC, BOC or POP entries) [R37]
  - \_\_\_ The item to which the entry relates is ineligible to be re-presented as an RCK entry. (RCK entries) [R51-01]
  - \_\_\_ 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 Operating Rules*. (RCK entries) [R51-02]
  - \_\_\_ All signatures on the item to which the RCK entry relates are not authentic or authorized. (RCK entries) [R51-03]
  - \_\_\_ The item has been altered. (RCK entries) [R51-04]
  - \_\_\_ The amount of the RCK entry was not accurately obtained from the item. (RCK entries) [R51-05]
  - \_\_\_ Both the RCK entry and the item to which the RCK entry relates have been presented for payment. (RCK entries) [R53]

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

I understand that I should contact the proper law enforcement authorities in cases of alleged fraud.

I certify that the foregoing is true and correct.

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Date

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Authorized Signature

**[NOTE: RDFIs should consult with their own legal counsel and rely on their own business judgment in determining what specific form the written statement of unauthorized debit should take.]**