

# affidavit of unauthorized & improper ACH debit activity



## WRITTEN STATEMENT UNDER PENALTY OF PERJURY

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

Member Name: \_\_\_\_\_ Account Number: \_\_\_\_\_

I, \_\_\_\_\_, state that I have examined the attached statement or other notification from UMe Federal Credit Union, including that an ACH debit entry was charged to my account number \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_\_ in the amount of \$ \_\_\_\_\_, and that the debit was unauthorized or improper.

An **UNAUTHORIZED DEBIT** (with the exception of TEL entries) means an electronic fund transfer 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 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 greater than that authorized by the consumer, or that results in a debit to the member's account earlier than that authorized by the consumer also is an unauthorized debit. An unauthorized debit does not include an electronic fund transfer initiated with fraudulent intent by the consumer or any person acting in concert with the consumer.

An **IMPROPER DEBIT** means a Re-presented Check Entry (RCK) that meets the criteria described in Section II below.

### I. FOR UNAUTHORIZED DEBITS (check one)

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 UMe Federal Credit Union.

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.

I authorized \_\_\_\_\_ (company name) to originate one

or more ACH entries to debit funds from my account at UMe Federal Credit Union, but:

the amount debited exceeds the amount I authorized to be debited. The amount I authorized to be debited 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\_\_\_\_\_.

II. FOR IMPROPER RE-PRESENTED CHECK (RCK) ENTRIES, I further state that: (check one)

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

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.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(\_\_\_\_\_)\_\_\_\_\_  
Mobile Phone Number

(\_\_\_\_\_)\_\_\_\_\_  
Home Phone Number

(\_\_\_\_\_)\_\_\_\_\_  
Work Phone Number

*for credit union use only*

received by: _____	user #: _____
completed by: _____	date: _____