

AFFIDAVIT OF UNAUTHORIZED/IMPROPER ENTRY (ACH DEBIT)

State of: New Jersey
 County of: New Jersey

I, _____ (consumer's name), depose and say that I have examined the attached statement or other notification from Financial Assurance Federal Credit Union indicating that an ACH debit entry was charged to my account # _____, on _____ (date) in the amount of \$ _____, and that the entry was unauthorized or improper.

An unauthorized debit means an electronic fund transfer from a consumer's account initiated by a person, which was not authorized by the consumer in writing to initiate the transfer. An electronic funds transfer in an amount greater than that authorized by the consumer or which 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 any person acting in concert with the consumer. An improper debit means an (PPD)(RCK) entry for which (1) notice stating the terms of the re-presented check entry policy was not provided by the Originator, (2) the item to which the entry relates is not an eligible item, (3) all signatures on the item to which the entry relates are not authentic or authorized, or (4) the item to which the entry relates has been altered.

- I. For unauthorized entries, I further depose and say that: (select one)
- (a) I authorized (company name) _____ to originate one or more electronic entries to debit funds from my account but on (date) _____, I revoked that authorization by notifying:
 Company name: _____
 Address: _____
 City, State, Zip: _____
- (b) I did not authorize and have not ever authorized, in writing (company name) _____ to originate one or more electronic entries to debit funds from any account at Financial Assurance Federal Credit Union.
- (c) I authorized (company name) _____ to originate one or more electronic entries to debit funds my account but
 The amount debited was different from the amount I authorized to be debited.
 The amount I authorized is \$ _____.
- OR**
- In the case of variable amounts, the amount debited was different from the amount on the required notice, which was \$ _____.
- OR**
- The debit was made to my account on a date earlier than the date I authorized to be debited. I authorized the debit to be made to my account on or no earlier than (date or day of the month) _____.

This form requires a Signature. Please mail or fax the completed form to:

II. For improper entries, I further depose and say that: (select one)

(a) The notice stating the terms of the re-presented check entry policy was not provided to me in advance of receiving the item to which the re-presented check entry relates.

(b) The item was ineligible because either: (select one)

the item to which the re-presented check entry relates is not an item within the meaning of Revised Article 4 of the Uniform Commercial Code (1990 Official Text);

the item to which the re-presented check entry relates is not a negotiable demand draft drawn on or payable through or at a Participating DFI, other than a Federal Reserve Bank or Federal Home Loan Bank;

the item to which the re-presented check entry relates is in an amount of \$2,500 or more;

the item to which the re-presented check entry related does not indicate on the face of the document that the item was returned due to "Not Sufficient Funds", "NSF", "Uncollected Funds" or comparable language;

the item to which the re-presented check entry relates is dated more than 180 days from the date the entry is transmitted to the RDFI;

the item to which the re-presented check entry relates is drawn on a non-consumer account;

the item to which the re-presented check entry relates has been previously presented (a) more than twice in paper form (for initial RCK entries) or (b) more than once in paper form and more than once as a re-presented check entry (for reinitiated re-presented check entries).

(c) All signatures on the item to which the re-presented check entry relates are not authentic or authorized.

(d) The item to which the re-presented check entry relates has been altered.

I further depose and say 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.

Date: _____ Signature: _____

Once the affidavit is signed, the ACH Rules state the electronic entry must be returned within 60 days of the settlement date of the original entry. The financial institution will return the entry for R07, Authorization Revoked by Customer, or R10, Customer Advises Not Authorized for both types of entries at this time. If the consumer submits the affidavit after the sixty day deadline, the consumer must settle the claim with the company directly. The financial institution will retain the affidavit for one year from the date of the return entry.

This form requires a Signature. Please mail or fax the completed form to:

525 Washington Blvd, 33rd Fl, Jersey City, NJ 07310, Phone: (201)743-5355 Fax: (201)743-6520

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