

Written Statement of Unauthorized Debit



State of: _____ County of: _____

I, _____, depose and say that I have examined the attached statement or other notification from The Tennessee Credit Union indicating that an ACH debit entry from _____ (company) was charged to my Account No. _____ on _____, 20__ in the amount of \$ _____, and that the debit was unauthorized or improper. *(Not Valid for transactions over 60 days old)*

An **Unauthorized Debit** *(with the exception of TEL entries) means an electronic funds transfer from a consumer's account initiated by a person which was not authorized by the consumer, 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 the amount different than that authorized by the consumer or which results in a debit to the consumer's account earlier than 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), Point-of-Purchase Entry (POP), Back Office Conversion (BOC), or Accounts Receivable Entry (ARC) that meets the criteria described in Section III below.

This entry was:

- _____ **Unauthorized- Complete section I and V (R10 and R11)**
- _____ **Revoked-** I revoked my authorization with the company in the manner specified in the agreement. I request that my financial institution credit my account for the above entry that posted after my authorization revoked. *Complete sections II and V (R07)*
 - _____ I have **not** authorized additional payments to this company and request my financial institution to block and return subsequent payments if received.
 - _____ I have authorized other payments to this company and do not want other payments from this company blocked.
- _____ **Improper** (a check improperly converted to ACH) *complete section III and V.(R51,R37,R53,R11)*
- _____ **Incomplete Transaction-** My account was debited for an entry I authorized, but the Originator did not receive credit for the entry. *Complete section IV and V (R11)*

Important Note: Our system will block payments for the criteria specified above. In accordance with the Rules, the payment should not be resubmitted. However, please notify us immediately if a payment entry posts to your account. If you authorize a new payment to this company, please remember to notify us immediately to prevent the return of an authorized payment.

An *Incomplete Transaction* is a payment to an intended third-party payee that was not made or completed by the Originator, Third-Party Sender or ODFI of a corresponding debit entry authorized by a consumer for the purpose of funding the payment to the third-party payee. A partial or erroneous payment to the intended third-party payee is not an Incomplete Transaction.

I. For Unauthorized entries, I further depose and say: (check one)

- _____ (R10,R05-CCD or CTX) 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 The Tennessee Credit Union.
- _____ (R11) I authorized _____ (company name) to originate one or more ACH entries to debit funds from my account but:
 - _____ (R11) The amount debited is different than the amount I authorized to be debited. The amount I authorized is \$ _____.
 - _____ (R11) 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__.
 - _____ (R11) I did not authorize this specific payment.
 - _____ (R11) The authorization was not clear and readily understandable.

II. For Authorization Revoked, I further depose and say:

- _____ (R07) I authorized _____ (company) to originate one or more ACH entries to debit funds from my account, but on _____, 20__ I revoked that authorization by notifying the company in the manner specified in the authorization.
Note: Must have been revoked with the company prior to the item posting and may **not** be used for POP, BOC, ARC, RCK.

III. For Improper Entries, Checks ineligible for conversion to ACH or improperly converted, I further depose and say: RCK (Re-presented Check Entries) – A single debit entry to collect funds for checks returned as NSF or Uncollected funds

- ____ (R51) The item to which the entry relates is ineligible to be initiated as an RCK entry.
- ____ (R51) 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 ACH Operating Rules.
- ____ (R51) All signatures on the item to which the RCK entry relates are not authentic or authorized, or the item has been altered.
- ____ (R51) The amount of the RCK entry was not accurately obtained from the item.
- ____ (R37,R53) Both the RCK entry and the item to which the RCK entry relates have been presented for payment.
- ____ (R51) Did not authorize.

ARC (Accounts Receivable Entries) - The conversion of an eligible check received via the U.S. mail or at a drop box location for the payment of goods or services, to a single entry debit entry.

BOC (Back Office Conversion) – The conversion of an eligible check received in-person for the purchase of goods or services at the point of purchase or manned bill payment location, to a single entry debit entry during back office processing.

POP (Point of Purchase Entries) An eligible check received for goods or services is converted to a single entry debit entry at the point of purchase. A written Authorization is required and the check (source document) is voided and returned to the member.

- ____ (R11) The Notice was not provided by the Originator in accordance with the requirements of the NACHA ACH Operating Rules
- ____ (R37,R53) Both the source document and the ACH entry to which it relates have been presented for payment
- ____ (R11) The amount of the ACH entry was not accurately obtained from the source document
- ____ (R11) Improper Source Document
- ____ (R10) All signatures on the item to which the entry relates are not authentic or authorized, or the item has been altered
- ____ (R37) Did not authorize

IV. For Incomplete Transaction, I further depose and say:

- ____ (R11) I authorized the above mentioned company to originate one or more ACH entries to debit funds from my account, but the company did not receive the funds.

V. Signature Required

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. I certify under penalty of perjury that the foregoing is true and correct and that I am an authorized signer or have authority to act on the account.

Dated: _____ Signature: _____

State of _____

County of _____

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, _____, the within named individual, with whom I am personally acquainted or to me on the basis of satisfactory evidence, and who acknowledged that he or she executed the within instrument for the purposes therein contained.

Witness my hand and official seal this the _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

For ACH Dept. Use Only	Employee _____	Date/Time _____
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