

AFFIDAVIT OF UNAUTHORIZED OR IMPROPER ACH DEBIT ACTIVITY

State of: _____

County of: _____

I, _____, depose and say that I have examined the attached statement or other notification from General Electric Credit Union indicating that an ACH debit entry was charged to my Account No. _____ 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 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 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 a Re-presented Check (RCK), Accounts Receivable Entry (ARC), or Point-of-Purchase Entry (POP) that meets the criteria described in Section II. A **RCK** is a transaction for use of re-presenting paper items (drafts/checks) that have been returned for insufficient or uncollected funds. An **ARC** (also known as a **PPD**) transaction is the mechanism for converting consumers checks mailed for payment in return for goods or services into electronic form (an ACH). A **POP** transaction is when a merchant is permitted to initiate a one-time ACH debit entry to a consumer’s account at the point of purchase (at the time a purchase is made).

I. For **UNAUTHORIZED** entries, I further depose and say that: (check one)

_____ I did not authorize, and have not ever authorized, in writing _____ (Originating Company) to originate one or more ACH entries to debit funds from any account at General Electric Credit Union. This authorizes General Electric Credit Union to stop any future payments from the originator.

_____ I authorized _____ (Originating Company) to originate one or more ACH entries to debit funds from my account, but on _____, 20__, I revoked that authorization by notifying them in the manner specified in the authorization.

_____ I authorized _____ (Originating Company) to originate one or more ACH entries to debit funds from my account at General Electric Credit Union 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__.

II. For **IMPROPER** entries, I further depose and say that: (check one)

For RCK Entries Only:

- The item to which the entry relates is ineligible to be initiated as an RCK entry.
- All signatures on the item to which the re-presented check 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.
- Both the RCK and the item (paper draft/check) to which the RCK relates have been presented for payment.
- 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.

For ARC /PPD Entries Only:

- Notice was not provided by the Originator in accordance with the requirements of the NACHA Operating Rules.
- The source document used for the debit entry is improper.
- Both the source document and the ARC entry to which it relates have been presented for payment.
- The amount of the ARC entry was not accurately obtained from the source document.

For POP Entries Only:

- The debit entry for which the Receiver is seeking re-credit was not authorized by the Receiver.
- The source document used for the debit entry is improper.
- Both the source document and the POP entry to which it relates have been presented for payment.

III. I, an account owner, further depose and 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 do solemnly declare and affirm under the penalties of perjury and upon personal knowledge that the foregoing is true and correct.**

Date _____ Signature _____