



AFFIDAVIT OF UNAUTHORIZED/IMPROPER ACH DEBIT ACTIVITY

State of _____

County of _____

I, _____, depose and say that I have examined the attached statement or other notification from Williamsville State Bank & Trust indicating that an ACH debit entry was charged to my Account No. _____ on _____, in the amount of \$ _____ and that the debit was unauthorized or improper.

An unauthorized debit means an electronic fund transfer from a consumers account initiated by a person which was not authorized by the consumer in writing 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 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(n) PPDEntry¹ for which (1) notice stating the terms of the represented check entry policy or PPD Accounts Receivable Truncated Check Debit 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, (4) the item to which the entry relates has been altered, or (5) for PPD Accounts Receivable Truncated Check Debit Entries only, the Receiver provided with the Originator with notice not to truncate the item to which the entry relates.

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

_____ I did not authorize, and have not ever authorized, in writing _____ to originate one or more ACH entries to debit funds from any account at Williamsville State Bank & Trust.

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

_____ I authorized _____ to originate one or more ACH entries to debit funds from my account at Williamsville State Bank & Trust but

_____ the amount debited exceeds that 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 _____.

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

_____ (a) The notice stating the terms of the re-presented check entry policy or truncated check entry policy was not provided to me in advance of receiving the item to which the re-presented check entry or PPD Accounts Receivable Truncated Check Debit Entry relates.

_____ (b) The item was ineligible because either: (check appropriate reason)

_____ the item to which the re-presented check entry or PPD Accounts Receivable Truncated Check Debit 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 or PPD Accounts Receivable Truncated Check Debit 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 or PPD Accounts Receivable Truncated Check Debit Entry relates is in an amount of \$2,500.00 or more:

_____ the item to which the re-presented check entry relates 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 or PPD Accounts Receivable Truncated Check Debit 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 or PPD Accounts Receivable Truncated Check Debit Entry relates is drawn on a non-consumer account: or

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

_____ the item to which the PPD Accounts Receivable Truncated Check Debit Entry relates has been previously presented in its physical form.

_____ the PPD Accounts Receivable Truncated Check Debit Entry has been presented more than three times.

_____ the PPD Accounts Receivable Truncated Check Debit Entry has not been completed and signed by the consumer.

_____ (c) All signatures on the item to which the re-presented check entry or PPD Accounts Receivable Truncated Check Debit Entry relates are not authentic or authorized.

_____ (d) The item to which the re-presented check entry or PPD Accounts Receivable Truncated Check Debit Entry relates has been altered.

_____ (e) For PPD Accounts Receivable Truncated Check Debit Entries only, the Receiver provided the Originator with notice not to truncate the item to which the entry relates.

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.

Dated: _____

Signature

Improper ACH Debit Information

Debit Card Number _____

Merchants Name _____

Merchants Address _____

Amount of transaction \$ _____

Reason for Dispute: _____

Mastercard regulations require that an attempt to contact the merchant to resolve the disputed transaction(s) be made for non-fraud claims.

Date of resolution attempt contact with the merchant. _____

Who did you speak to? _____

What was the outcome? Please be specific:

Cardholder Signature

Date

*For Purposes of an improper debit entry, the term "PPDEntry" refers to both the re-presented check entry interim rule and the short-term rule for PPD Accounts Receivable Truncated Check Debit Entries.