

Affidavit of Unauthorized/Improper ACH Debit Activity

State of Texas
County of _____

I, _____, depose and say that I have examined the attached statement of other notification from Hondo National Bank 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. The party debiting my account was _____.

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 in writing to initiate the transfer. With respect to TEL entries, an unauthorized debit mean an electronic 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 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 Represented Check (RCK) entry, Point-of-Purchase Entry (POP), Accounts Receivable Entry (ARC), or Back Office Conversion Entry (BOC) that meets the criteria described below.

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 my account at HONDO NATIONAL BANK.

_____ 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 an account at HONDO NATIONAL BANK but the amount differs from the amount I authorized to be debited. The amount I authorized is \$ _____.

_____ The debit was made to my account on a date earlier than that date on which I authorized the debit to occur. I authorized the debit to be made by _____ to my account on or no earlier than _____, _____.

_____ My account was debited but the corresponding payment was not received by the intended originator or third-party payee.

_____ My check was improperly processed electronically (Check one of the following)

For RCK Entries:

_____ The check was ineligible to be initiated as an RCK entry.

_____ Notice was not properly provided by the party listed above in accordance with the ACH Rules.

_____ Signatures on the check 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 check.

_____ Both the RCK entry and the check to which the RCK entry relates have been presented for payment.

For ARC, BOC and POP entries:

_____ I opted out of check conversion activity.

_____ The debit was not authorized by the party listed above in accordance with the requirements of the ACH Rules.

_____ The check was ineligible to be initiated as an ARC, BOC or POP entry.

_____ Both the source document and the ARC, BOC or POP entry to which it relates have been presented for payment.

_____ The amount of the ARC, BOC or POP entry was not accurately obtained from the source document.

I am an authorized signer, or otherwise have authority to act, on the account identified in this statement. 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

Witness: _____

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Public in and for the State of Texas
My commission expires: _____