



## Substitute Check Policy Disclosure

### Important Information About Your Checking Account

#### Substitute Checks and Your Rights Under the Check Clearing for the 21<sup>st</sup> Century Act (Check 21)

##### **What is a Substitute Check?**

To make check processing faster federal law permits banks to replace original checks with "substitute checks." These checks are similar in size to original checks with a slightly reduced image of the front and back of the original check. The front of a substitute check states: "This is a legal copy of your check. You can use it the same way you would use the original check." You may use a substitute check as proof of payment just like the original check.

Some or all of the checks that you receive back from us may be substitute checks. This notice describes rights you have when you receive substitute checks from us. The rights in this notice do not apply to original checks or to electronic debits to your account. However, you have rights under other laws with respect to those transactions.

##### **What are my rights regarding substitute checks?**

In certain cases, federal law provides a special procedure that allows you to request a refund for losses you suffer if a substitute check is posted to your account (for example, if you think that we withdrew the wrong amount from your account or that we withdrew money from your account more than once for the same check). The losses you may attempt to recover under this procedure may include the amount that was withdrawn from your account and fees that were charged as a result of the withdrawal (for example, bounced check fees).

The amount of the refund under this procedure is limited to the amount of your loss or the amount of the substitute check, whichever is less. You also are entitled to interest on the amount of the refund if an account is an interest-bearing account. If your loss exceeds the amount of the substitute check, you may be able to recover additional amounts under the other law.

The bank should investigate your claim promptly. If the bank finds that it incorrectly charged your account, the bank must refund the amount of your claim (up to the amount of the substitute check, plus interest if your account earns interest) within one business day of making that decision.

If your bank is unable to determine the validity of your claim within 10 business days after receiving it, the bank on that day must refund the amount of your loss up to the lesser of amount of the substitute check or \$2,500, plus interest (if your account earns interest). Unless the bank determines that your claim is not valid, it must refund to your account any remaining amount of your loss, up to the amount of the substitute check, plus interest, no later than the 45th calendar day after the bank received your claim.

If your bank later determines that your claim was not valid, it may reverse the refund and interest it has paid to you.

##### **How do I make a claim for a refund?**

If you believe that you have suffered a loss relating to a substitute check that you received and that was posted to your account, please contact us by mail, phone, or email. You must contact us within 40 calendar days of the date that we mailed (or otherwise delivered by a means to which you agreed) the substitute check in question or the account statement showing that the substitute check was posted to your account, whichever is later. We will extend this time period if you were not able to make a timely claim because of extraordinary circumstances.

We may reverse the refund (including any interest on the refund) if we later are able to demonstrate that the substitute check was correctly posted to your account.

Your claim must include:

- (1) A description of why you have suffered a loss (for example, you think the amount withdrawn was incorrect);
- (2) An estimate of the amount of your loss;
- (3) An explanation of why the substitute check you received is insufficient to confirm that you have suffered a loss; and
- (4) A copy of the substitute check and/or the following information to help us identify the substitute check: the check number, the date of the check was written, the name of the person to whom you wrote the check: the name of the person signing the check (you or joint account holder), and the amount of the check.

For questions or inquiries about any original or substitute check, or to make a claim for a refund related to a substitute check, contact us at the mailing address, web address or phone numbers listed below.

Po Box 310  
Dayton, TN 37321  
(423) 567-7265  
[www.simply.bank](http://www.simply.bank)