

**DISCLAIMER FORM FOR RULE 9**

**BREACH OF WARRANTY – FORGED OR UNAUTHORIZED DRAWER SIGNATURE OR COUNTERFEIT CHECK**

I \_\_\_\_\_, a representative of \_\_\_\_\_ hereby disclaim and refuse the  
(Please print) (Depository Bank)

“Breach of Warranty – Forged or Unauthorized Drawer Signature Or Counterfeit Check” claim made by

\_\_\_\_\_ (ABA#) \_\_\_\_\_  
(Claimant Paying Bank) (Claimant Bank’s R/T number)

Name of Paying Bank: \_\_\_\_\_

Name of Paying Bank’s Customer: \_\_\_\_\_

Paying Bank’s Customer’s Account Number: \_\_\_\_\_

(Account Number of Above Named Account)

Amount Claimed: \_\_\_\_\_

- 1) Account closed
- 2) Claim amount exceeds funds in account
- 3) Claim was not made timely, as follows:
  - a) Paying Bank’s customer did not provide customer written statement within 60 calendar days after account statement of check made available
  - b) Paying Bank did not deliver warranty claim within 15 Business Days of receipt of customer written statement
  - c) Paying Bank failed to deliver copy of customer written statement within 15 Business Days to Depository Bank
- 4) Depository Bank is not the first bank to which the check was transferred (BOFD)
- 5) Depository Bank had in place at the time of the Electronic Check exchange an effective election to have its Electronic Check exchanges not subject this Section XIX(O) of the ECCHO Rules
- 6) Other defenses as provided by other applicable law

Specify: \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_ (\_\_\_\_) \_\_\_\_\_  
Signature of Representative – Depository Bank Date Phone

**INSTRUCTIONS TO Sending Bank:**

- 1. This form is to be completed and signed by a representative of the Depository Bank. A defense MUST be specified.
- 2. Keep a copy of the completed form and a copy of the check, Electronic Check, a paper copy of the front and back of such Electronic Check or substitute check stamped “Breach of Warranty - Do not Redeposit or Re-Present” or with similar language (the claim) for your files.
- 3. Attach the original check, Electronic Check, a paper copy of the front and back of such Electronic Check or substitute check stamped “Breach of Warranty - Do not Redeposit or Re-Present” or with similar language to this form and deliver to the Claimant Paying Bank in full compliance with Section XIX(O) of the ECCHO Rules

**DO NOT SEND THIS FORM THROUGH THE FEDERAL RESERVE BANK – IT WILL BE REJECTED**