

## Oak Grove PTA Returned Check Policy

### Returned check service charge with a sliding fee scale:

Check dollar amount up to \$25.00 = \$5.00 fee, \$26-\$75 = \$10 fee, \$76-\$100 = \$15.00 fee, and any check over \$100 = \$25 fee

#### STEP 1:

Upon receipt of returned check, notify check writer by telephone and letter of the returned check and request replacement funds, including bank fee (see sample letter "A"). Include a copy of the check with the letter. Document all telephone calls, on the back of the bank notice, with date and time, who you spoke with or if you left a message on an answering machine, received no answer, etc. If the person you spoke with made promises of restitution, document that information as well. Let the person know that they will also be receiving a letter by mail.

#### STEP 2:

30 days from date of first letter, send second request letter, by certified mail, of possible district attorney action (see sample letter "B"). (Also include replacement of certified mail fee).

#### STEP 3:

60 days from date of first letter, file a complaint with the District Attorney's office by completing the "Bad Check Complaint Form" from the district attorney's office (see sample form "C"). **IT IS VERY IMPORTANT THAT THIS COMPLAINT BE RECEIVED BY THE DISTRICT ATTORNEY'S OFFICE WITHIN 90 DAYS OF THE DATE OF THE CHECK.** Follow the instructions provided by the district attorney's office (see sample instructions "D").

#### STEP 4:

If after 60 days of filing the complaint, restitution is not received, contact the District Attorney's office by telephone at (949) 369-6120. The complaint will then be evaluated for criminal prosecution.

If prosecutable, the PTA will not receive further notice until the suspect has been arraigned in court. The D.A.'s office will retain all checks as a matter of official record. If for some reason the complaint is not prosecutable, the check(s) will be returned at the PTA's request for civil collection purposes.