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# TERMS AND DISCLOSURES

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Our Funds Availability Policy is applicable to both a transaction and non-transaction account type. A checking account is considered the most common “transaction” account type due to the unlimited number of withdrawals allowed, including but not limited to, transfer requests over the telephone and preauthorized transfer requests between your Accounts with us. A savings or money market account is considered a “non-transaction” account due to the limited number of withdrawals allowed. For details on withdrawal limitations on savings and money market accounts, please see the “Restricting Withdrawals & Transfers” section of this Agreement. Furthermore, you may inquire as to the account type of other Accounts you have with us by calling 877.839.2737 (Client Support).

### **Concerning Your Ability to Withdraw Funds**

Our Funds Availability Policy is to make funds available to you from your cash and Check deposits on the first Business Day after the day we receive your deposit. Without limiting the foregoing, Automated Clearing House (ACH) Items and Wire Transfers will be made available to you on the Business Day we receive such deposit. Thus, as soon as an ACH or Wire Transfer deposit is received by us, you will have use of such funds. Without limiting the foregoing, we will use the receipt of such deposits to pay Items that present against your Account. You acknowledge and agree that you are responsible for the management of your Account with us. In the event you withdraw all funds in your Account to which a deposit is made, you acknowledge and agree that you are responsible for all Items that present against your Account for payment and any Items that are returned as unpaid, including any fees that result due to such non-payment.

To determine the availability of your deposits, every day is a Business Day except for Saturday, Sunday and Federal holidays. If you make a deposit on a Business Day during our normal hours of operation, we will consider that day to be the day of your deposit.

### **Concerning Longer Delays**

In some cases, we will not make all of the funds that you deposit by check available to you on the first business day after the day of your deposit. Depending on the type of check that you deposit, funds may not be available until the second business day after the day of your deposit. The first \$200 of your deposits, however, will be available on the first business day.

Without limiting the foregoing, we will notify you at the time of your deposit if we are not going to make the total amount of the deposit available to you on the first Business Day after the day of deposit. Furthermore, we will provide you with the date of when the total funds will become available for withdrawal by you. In the event the deposit in question is not made in person to one of our employees or we decide to take such action after you have left our banking center, we will mail notice to you on the first Business Day after we have received your deposit. In any event, you may ask us when funds will become available prior to making a deposit by Check with us.

Notwithstanding, funds you deposit by Check may be delayed up to 7 Business Days when these circumstances arise:

- We believe a Check you deposit will not be paid.
- You deposit Checks totaling more than \$5,000 on the same day.
- You redeposit a Check that has been previously returned unpaid.
- You have overdrawn your Account repeatedly in the last six months.
- We or others in the payment channel encounter an emergency, such as failure of computer or communications equipment.

We will notify you in the event we delay your ability to withdraw funds and will provide a date of when the funds will become available for withdrawal.

### **Provisioning for New Accounts**

In the event your Account is a new Account, opened 30 days or less, special guidelines govern our processing of your deposits. These special guidelines include:

- ACH Deposits: Funds become available to you on the Business Day we receive such Items.
- Wire Transfer Deposits: Funds become available on the first Business Day after the day of deposit.
- Cash Deposits: Funds become available on the first Business Day after the day of deposit.
- Cashier, Certified, Teller and Traveler Check Deposits: Funds for the first \$5,000 become available on the first Business Day after the day of deposit. In the event your deposit was not made in person to one of our employees, funds for the first \$5,000 do not become available until the second Business Day after the day of deposit. In either case, the balance of the deposit becomes available on the ninth Business Day after the day of deposit.
- Federal, State and Government Deposits: Funds become available on the first Business Day after the day of deposit.
- Other Check Deposits: Funds become available on the ninth Business Day after the day of deposit.