

DISHONORED CHECK

Check was accepted and/or approved by: Name: _____

Home Address: _____ Date of Birth: _____

Home Phone: _____ Employer: _____

Work Address: _____ Work Phone: _____

Date check was accepted: _____ List items/service received: _____

Date of check: _____ Amount of check \$ _____ Cash returned: \$ _____

Check was written by: Name: _____

Address: _____

Check was received in person. YES / NO

Check was written in my presence. YES / NO

Driver's License #: _____ State: _____

Description of defendant (REQUIRED if no Driver's License #): M / F Race: _____

Date of Birth: _____ Height: _____ Weight: _____ Hair: _____ Eyes: _____

Miscellaneous Information: _____

Vehicle Make: _____ Vehicle Color: _____ License Plate: _____

I CAN IDENTIFY ON SIGHT THE WRITER OF THE CHECK, OR I HAVE FOLLOWED THE PROCEDURES AS OUTLINED IN THE DISHONORED CHECK PROSECUTION POLICY, AND AM WILLING TO TESTIFY IN COURT IF NECESSARY.

(Signature of person accepting/approving check)

I HEREBY ATTEST THAT THE ABOVE REFERENCED CHECK HAS NOT BEEN PAID IN FULL WITHIN THE FIVE BUSINESS DAYS AFTER MAILING OF THE NOTICE AND DEMAND FOR PAYMENT OF DISHONORED CHECK.

(Manager or owner of business) (Date)

NOTICE AND DEMAND FOR PAYMENT OF DISHONORED CHECK

TO: _____
(Defendant)

You are hereby notified that check number _____, dated _____, 20_____, in the amount of \$ _____, drawn on _____ bank, bearing the signature of _____ and made payable to the order of _____
(Defendant)

_____ has been returned with the notation that payment was refused
(Business)

because of _____.

DEMAND IS HEREBY MADE FOR FULL AND IMMEDIATE PAYMENT OF THE CHECK DESCRIBED HEREIN ABOVE.

Pursuant to Minnesota Statutes Section 609.535, you are further notified that issuance of dishonored checks not more than \$250 is a misdemeanor. A misdemeanor is a crime for which a jail sentence of up to 90 days or a fine of \$1,000, or both, may be imposed. Issuance of dishonored checks more than \$250 but not more than \$500 is a gross misdemeanor. A gross misdemeanor is a crime for which a jail sentence of up to one year or a fine of up to \$3,000, or both, may be imposed. Issuance of dishonored checks more than \$500 is a felony. A felony is a crime for which a jail sentence of not more than 5 years or a fine of not more than \$10,000, or both, may be imposed.

You are further notified that you are civilly liable for the issuance of a dishonored check pursuant to Minnesota Statutes Section 604.113. Civil liability pursuant to said statute may include required restitution for the face amount of the check, plus a civil penalty of up to \$100 per check, plus interest at the rate payable on judgments pursuant to Minnesota Statutes Section 549.09 of the face amount of said check from the date of dishonor, plus reasonable attorney's fees if the amount of the check exceeds the sum of \$1,250, plus a service charge of \$15 or the actual cost of collection, not to exceed \$30, or terms or conditions for imposing the charges which have been agreed to by the parties to an express contract.

You are finally notified that if the check described herein above is not ***paid in full within five business days after the mailing of this notice***, the above-named bank will be authorized to release information to the business or holder of the check relating to your accounts and the bank may also release said information to law enforcement or prosecuting authorities. The matter may then be referred to proper authorities for prosecution.

**YOU WILL RECEIVE NO FURTHER NOTICE OR DEMAND FOR PAYMENT.
DO NOT IGNORE THIS NOTICE.** Payment as demanded herein must be sent to:

(Business)

(Business Street Address)

(Business City, State, Zip Code)

(Signature of Business Representative)

(Date)

