

# **BANK OF THE SIERRA**

**(888)-454-2265**

**Reg CC**

## **FUNDS AVAILABILITY POLICY DISCLOSURE**

### **PURPOSE OF THIS DISCLOSURE**

The information here describes our policy of holding deposited items in an account before funds are made available to you for withdrawal. This is what is called our Funds Availability Policy.

For purposes of this disclosure, the terms "you"/"your" refer to the customer and the terms "our"/"we"/"us" refer to the Bank.

The term "account" includes any demand deposit, negotiable order of withdrawal account, savings deposit, money market account or other non-time deposit account.

### **DETERMINING THE AVAILABILITY OF YOUR DEPOSIT**

The length of the delay varies depending on the type of deposit and is explained below. When we delay your ability to withdraw funds from a deposit, you may not withdraw the funds in cash, and we will not pay checks you have written on your account by using these funds. Even after we have made funds available to you and you have withdrawn the funds, you are still responsible for checks you deposit that are returned to us unpaid and for any other problems involving your deposit.

When we delay your ability to withdraw funds, the length of the delay is counted in Business Days from the day of your deposit. The term "Business Day" means any day other than a Saturday, Sunday or federally declared legal holiday, and the term "Banking Day" means that part of any Business day on which we are open to the public for carrying on substantially all of our banking functions.

If you make a deposit before close of business on a Business Day that we are open, we will consider that day to be the day of your deposit. However, if you make a deposit after close of business or on a day that we are not open, we will consider the deposit made on the next Business Day we are open. For Merchant Deposits accepted after 3:30 PM Monday through Thursday and after 5:00 PM on Friday, we may consider the deposit made on the next business day.

If you do not receive the Notice of Delayed Availability at the time you made the deposit and the check you deposited is paid, we will refund any fees we have assessed for overdrafts or returned checks that result solely from the additional delay that we are imposing. To obtain a refund of such fees, please make a written request to the address below:

Bank of the Sierra  
PO Box 1930  
Porterville, CA 93258

### **AVAILABILITY SCHEDULE**

Our policy is to make funds from your cash and check deposits available to you on the first Business Day after the day we receive your deposit. Electronic direct deposits will be available on the day we receive the deposit. Once the funds are available, you can withdraw them in cash and we will use them to pay checks that you have written.

### **HOLDS ON OTHER FUNDS FOR CHECK CASHING**

If we cash a check for you that is drawn on another financial institution, we may withhold the availability of a corresponding amount of funds that are already in your account. Those funds will be available at the time funds from the check we cashed would have been available if you had deposited it.

### **HOLDS ON OTHER FUNDS IN ANOTHER ACCOUNT**

If we accept for deposit a check that is drawn on another financial institution, we may make funds from the deposit available for withdrawal immediately but delay your availability to withdraw a corresponding amount of funds that you have on deposit in another account with us. The funds in the other account would then not be available for withdrawal

until the time periods that are described elsewhere in this disclosure for the type of check that you deposited.

### **LONGER DELAYS MAY APPLY**

In some cases, we will not make all of the funds that you deposit by check available to you according to the previously stated availability schedule. 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 \$200.00 of your deposit, however, will be available on the first business day.

If we are not going to make all of the funds from your deposit available to you according to the previously stated availability schedule, we will notify you at the time you make your deposit. We will also tell you when the funds will be available. If your deposit is not made directly to one of our employees, or if we decide to take this action after you have left the premises, we will mail you the notice by the day after we receive your deposit. If you will need the funds from a deposit right away, you should ask us when the funds will be available.

Funds you deposited by check may be delayed for a longer period under the following circumstances: (a) if we believe a check you deposit will not be paid; (b) if you deposit checks totaling more than \$5,000.00 on any one day; (c) if you redeposit a check that has been returned unpaid; (d) if you have overdrawn your account repeatedly in the last six months; or (e) if an emergency condition arises that would not enable us to make the funds available to you, such as the failure of computer or communications equipment.

We will notify you if we delay your availability to withdraw funds for any of these reasons, and we will tell you when the funds will be available. They will generally be available no later than the seventh business day after the day of your deposit.

### **SPECIAL RULES FOR NEW ACCOUNTS**

If you are a new customer, the following special rules may apply during the first 30 days your account is opened.

Funds from electronic direct deposits to your account will be available on the day we receive the deposit. Funds from deposits of cash, wire transfers, and the first \$5,000.00 of a day's total deposits of cashier's, certified, teller's, traveler's, and federal, state and local government checks will be available on the first business day after the day of deposit if the deposit meets certain conditions. For example, the checks must be payable to you (and you may have to use a special deposit slip). The excess over \$5,000.00 will be available on the ninth business day after the day of your deposit. If your deposit of these checks (other than a U.S. Treasury check) is not made in person to one of our employees, the first \$5,000.00 will not be available until the second business day after the day of deposit.

Funds from all other check deposits will be available on the seventh business day after the day of your deposit.

### **DEPOSITS AT AUTOMATED TELLER MACHINES**

If you make a deposit at an automated teller machine (ATM) that is owned and operated by us before 1:00 pm on a business day that we are open, we will consider the deposit made that day. However, if you make a deposit at an ATM that is owned and operated by us after 1:00 pm or on a day that we are not open, we will consider the deposit made on the next business day we are open.