

NOTICE AND DEMAND REGARDING DISHONORED CHECK

TO: Resident(s) _____

Street Address: _____, Unit # _____

City: _____, CA Zip Code: _____

The undersigned, by certified mail, hereby gives notice and demands as follows:

1. The check (draft or order) dated: _____ for the sum of \$ _____
_____ dollars

payable to: _____ was not honored (not paid):
(Bank, Depository, Person, Firm or Corporation)

(check appropriate item)

☐ For lack of funds or credit to pay.

☐ Because the maker has no account with drawee.

2. The undersigned demands payment within thirty (30) days following this written demand delivered to the maker.

3. If not so paid, you shall be liable to the payee, in addition to the amount owed upon said check, draft or order, damages of treble the amount, so owing, but in no case less than one hundred dollars (\$100.00) and in no case more than one thousand five hundred dollars (\$1,500.00).

As required by law, you are hereby notified that a negative credit report reflecting on your credit history may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations (CC1785.26(c)(2))date.

Owner/Agent Signature _____

Date _____

AUTHORIZATION

California Civil Code Section 1719 states in pertinent part:

Notwithstanding any penal sanctions which may apply, any person who passes a check on insufficient funds is liable to the payee for the amount of the check minus any partial payment made within thirty (30) days of the demand made pursuant to paragraph (2), plus damages equal to treble that amount, which damages shall not be less than one hundred dollars (\$100) nor more than one thousand five hundred dollars (\$1,500), plus the costs of mailing the written demand for payment.

A cause of action under this section may be brought in small claims court, if it does not exceed the jurisdiction of that court, or in any other appropriate court."



Your use of any of these forms constitutes your representation that you have counseled with your personal attorney before using the form, and in using the form you are relying on your attorney's counsel and your own investigation, and not on any express or implied representation by SBRPA or any of its officers, directors, employees, or representatives.

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