

**Subject:** Regulation AA

**Date:** Jun 19, 2008

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**Proposal:** Regulation AA - Unfair or Deceptive Acts or Practices

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**Document**

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**Release**  
**Date:** 05/02/2008

**Name:** Nancy E Torres

**Affiliation:**

**Category of**

**Affiliation:**

**Address:** 170 Avenue C

**City:** New York

**State:** NY

**Country:** UNITED STATES

**Zip:** 10009

**PostalCode:**

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**Comments:**

I would like to see legislation passed that would protect the consumer from JP Morgan Chase Bank's unfair practice of imposing service fees that are unwarranted such as overlimit and so-called over-draft "protection" fees. I left Citibank because of the excessive fees the bank imposes only to have to deal with the same issue at Chase Bank. If I deposit a \$10 check into my debit account and Chase takes one week to clear the check (which is often the case) then I stop into a Starbucks and buy a \$4 coffee, Chase will approve the transaction, then charge my account a \$35 overlimit fee plus \$10 overdraft protection fee. The coffee has now cost me \$49!! That is what happens and the banks need to stop this practice. I will be happy to support legislation that will protect the consumer from these gross fees that enrich the banks at the expense of the average consumer. Below is an email exchange with Chase Bank regarding fees. In the end, I recovered a small portion of what has been hundreds of dollars in excessive fees imposed by Chase. 05-07-2008 13:24:04 From: Chase Online Subject: Re: Service Fee Inquiry Message: Dear Nancy Torres, Thank you for taking time out of your busy schedule to contact us. I understand your frustration regarding the assessment of

insufficient funds fees to your account. Regrettably, I was unable to absorb the fee, please accept my apology for any inconvenience this matter has caused. Although we appreciate the opportunity to do business with you, we will be unable to absorb the cost of any additional fees at this time. If you require further assistance, please e-mail us via the Secure Message Center or contact Chase By Phone at 1-800-935-9935. Chase By Phone representatives are available to assist you 7:00 AM - 9:00 PM, seven days a week with automated account information available 24-hours a day. Thank you, James E Scott Jr Internet Service Center Original Message Follows:

----- CigProfileId: [REDACTED] NAME:NANCY E TORRES  
CUSTOMER USERTYPE:PR CUSTOMER TYPE:PER CUSTOMER  
DOMAININDICATOR:COL SEGMENT: POH SOURCE:COL Message  
Center CATEGORY TYPE:Service Fee Inquiry  
DOMAININDICATOR:COL PCUSTSEG:POH PRODTYPE:RBG  
PRODUCT CODE: [REDACTED] SUB PRODUCT CODE: [REDACTED] ACCOUNT  
NUMBER: [REDACTED] SERVICE FEE DATE:2/21/2008 SERVICE FEE  
AMOUNT:\$280.00 TYPE:PER ACCT TYPE:CHK The "frustration"  
does not come from being "inconvenienced". It stems from the fact  
that Chase is building revenue at the expense of its customers. If I  
bounce a check, I am at fault. I AM NOT AT FAULT WHEN CHASE  
APPROVES A CHARGE AND THE FUNDS ARE NOT AVAILABLE! I  
am not asking for credit protection either – [The fees] were unfairly  
posted to my account. I am asking for CREDIT DUE SINCE 21-Feb -  
service fees that were improperly deducted from my account. I am  
NOT INTERESTED IN HEARING A SALES PITCH FOR CREDIT that  
you may call "overdraft protection". Where is the "protection" if I am  
required to have the money in the account and Chase will not only  
charge a fee for that service but also impose overlimit fees? That is  
NOT in my best interest! I am demanding the full refund of ALL  
SERVICE FEES SINCE 21-Feb and there is still a \$280 CREDIT DUE  
MY ACCOUNT! Nancy Torres 7-May 2008 Date: 05-06-2008  
21:37:41 From: Chase Online Subject: Re: Service Fee Inquiry  
Message: Dear Nancy Torres, Thank you for contacting Chase. I  
understand insufficient funds fees are inconvenient and difficult to  
deal with. However, we have already provided 4 courtesy refunds and  
we are not able to absorb anymore at this time. To avoid possible  
negative balances in the future, you can have Overdraft Protection set  
up on your checking account through a savings account, credit card,  
or Home Equity Line of Credit. Transfers are made in increments of  
\$50.00. There is a transfer fee of \$10.00 each time this is used. If you  
are interested, please contact us at the number below. To apply for  
overdraft protection, you may visit a Chase branch or contact our  
Telephone Sales Center at 1-800-CHASE24 (1-800-242-7324).  
Telephone Sales representatives are available to assist you 7:00 a.m.  
- 9:00 p.m., seven days a week. Again, I understand your frustration

regarding the assessment of insufficient funds fees to your account. Regrettably, as previous courtesy adjustments exist in your account we are unable to absorb the fee. Please accept our apology for any inconvenience this matter has caused. If you require further assistance, please e-mail us via the Secure Message Center or contact Chase By Phone at 1-800-935-9935. Chase By Phone representatives are available to assist you 7:00 AM - 9:00 PM, seven days a week with automated account information available 24-hours a day. Thank you, Christian Peralta Internet Service Center Original

Message Follows: ----- CigProfileId: [REDACTED]  
NAME:NANCY E TORRES CUSTOMER USERTYPE:PR  
CUSTOMER TYPE:PER CUSTOMER DOMAININDICATOR:COL  
SEGMENT: POH SOURCE:COL Message Center CATEGORY  
TYPE:Service Fee Inquiry DOMAININDICATOR:COL  
PCUSTSEG:POH PRODTYPE:RBG PRODUCT CODE: [REDACTED] SUB  
PRODUCT CODE: [REDACTED] ACCOUNT NUMBER: [REDACTED] SERVICE  
FEE DATE:2/21/2009 SERVICE FEE AMOUNT:\$280.00 TYPE:PER  
ACCT TYPE:CHK A credit of \$280 is STILL DUE!!! Nancy Torres  
5/6/08 Date: 05-04-2008 12:33:39 From: Chase Online Subject: Re:  
Service Fee Inquiry Message: Dear Nancy Torres, Thank you for  
contacting Chase. I am happy to inform you, the bank will absorb the  
\$ [REDACTED].00 in insufficient fees as a courtesy. You will see a credit on your  
account in 1 to 2 business days. We make every attempt, if possible,  
to honor transactions on your account. We may honor transactions  
that may cause your account to become negative in doing so. This is  
a courtesy provided to our customers to avoid trouble and possible  
embarrassment while transacting with a merchant. To avoid possible  
negative balances in the future, you can have Overdraft Protection set  
up on your checking account through a savings account, credit card,  
or Home Equity Line of Credit. Transfers are made in increments of  
\$50.00. There is a transfer fee of \$7.00 each time this is used. If you  
are interested, please contact us at the number below. I apologize for  
any inconvenience these fees may have caused and will make every  
effort to ensure you receive outstanding customer service because  
our first priority is to make our customers happy. If you have any  
questions or require further assistance, please e-mail us via the  
Secure Message Center or contact our Internet Service Center at  
1-877-242-7372. Thank you, [REDACTED] Internet Service Center

Original Message Follows: ----- CigProfileId: [REDACTED]  
NAME:NANCY E TORRES CUSTOMER USERTYPE:PR  
CUSTOMER TYPE:PER CUSTOMER DOMAININDICATOR:COL  
SEGMENT: POH SOURCE:COL Message Center CATEGORY  
TYPE:Service Fee Inquiry DOMAININDICATOR:COL  
PCUSTSEG:POH PRODTYPE:RBG PRODUCT CODE: [REDACTED] SUB  
PRODUCT CODE: [REDACTED] ACCOUNT NUMBER: [REDACTED] SERVICE  
FEE DATE:2/21/2008 SERVICE FEE AMOUNT:\$490.00 TYPE:PER

ACCT TYPE:CHK Your reply is not satisfactory. To approved charges on a CASH DEBIT account even when the funds are not available is clearly a way to build fees and should be illegal. I am not going to allow CHASE to hold me hostage in this way. I have to insist on reversal of the fees where the funds were clearly in my account - that is, the "uncollected" funds that I was told would be available on April 29th. I was told by the branch AND by a customer service rep over the phone that the funds on a check deposited on April 24th would be available on April 28th. I used my card for purchases with the understanding that the funds had already cleared my account. But in fact, Chase was approving my purchases and at the same time charging my account \$35 per transaction!!! THAT CANNOT BE LEGAL!!! If I stpoed into Starbucks and bought a \$5 cup of coffee, that cup of coffee actually cost me \$40!!! I was not aware that Chase was allowing the purchases even though the funds had not cleared my account. This has been a recurring problem on my account. Your email also does not address that I signed up for text alerts and I have NEVER received an text alert staing that the funds on my account are low. THAT IS DECEPTIVE ADVERTISING!! Please escalate my complaint to someone who can reverse these service charges or I will have no choice but to report these practices to the banking authorities! Nancy Torres Date: 05-01-2008 23:03:41 From: Chase Online Subject: Re: Service Fee Inquiry Message: Dear Nancy Torres, Thank you for contacting the Internet Service Center. I apologize for any inconvenience the assessment of this fees have caused. Depending on how the transaction is authorized, for example credit versus debit, will determine if the transaction will process the wether the transaction will process even if the funds are not available. A good example of this is at the gas pump. When you swipe your credit card, a request for authorization is made immediately. Because the amount of the purchase is unknown at that point, the merchant asks for authorization up to a specified amount. Once the receipt is submitted by the merchant, the transaction will process regardless of wether the funds are available, because an authorization has already been provided. I understand your frustration regarding the assessment of insufficient funds fees to your account. Regrettably, I am unable to process a reversal of these charges. To prevent this type of fee in the future, we recommend our overdraft protection products. If you wish to learn more about these services, please reply to this message or contact us at the number below. I apologize for any inconvenience you are experiencing with the assessment of these fees. Chase By Phone representatives are available to assist you by calling 1-800-935-9935, 7:00 AM - 9:00 PM, seven days a week with automated account information available 24-hours a day. Thank you,

Internet Service Center Original Message Follows:

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DOMAININDICATOR:COL SEGMENT: POH SOURCE:COL Message  
Center CATEGORY TYPE:Service Fee Inquiry  
DOMAININDICATOR:COL PCUSTSEG:POH PRODTYPE:RBG  
PRODUCT CODE: [REDACTED] SUB PRODUCT CODE: [REDACTED] ACCOUNT  
NUMBER: [REDACTED] SERVICE FEE DATE:2/21/2008 SERVICE FEE  
AMOUNT:\$490.00 TYPE:PER ACCT TYPE:CHK Dear customer  
service: I am dismayed that Chase has charged my checking/debit  
account service fees totalling \$490 since 21-Feb for charges that  
were APPROVED by the bank. These charges are erroneous and  
should be REVERSED IMMEDIATELY! I am not going to be a victim of  
the bank's need to raise revenues during a time when I too am  
experiencing economic hardship. Chase APPROVED the charges! I  
use my debit account as a cash account and if Chase authorizes a  
charge, Chase should honor the charge without penalty to me. When I  
opened the account, I signed up for a text alert. Chase advertises that  
it will send a text alert if the account balance is low. WHY AM I NOT  
INFORMED WHEN MY ACCOUNT BALANCE IS LOW? I do not  
expect to use my debit card when there is no money in the account.  
Chase Bank must take responsibility for approving the purchases and  
NOT PENALIZE me with service fees. If the charges are not removed  
I will move to another bank and file a claim with the NYS banking  
authority. Please reply. Thank you. Nancy Torres [REDACTED]  
05/07/2008 09:33 AM EDT