

"Susan Ford" <susan@susanford.biz> on 07/29/2008 09:30:01 AM

**Subject:** Regulation AA

I have accounts with Bank of America. I have been a customer for 20 years. I am very concerned about their abuse of overdraft fees associated with debit card transactions. When a debit card is used, the funds are held for several days before they actually debit the account. Those funds are held and not available to me, they are taken out of the available balance. I recently had 4 small debit card transactions under \$25.00, these items were pending and deducted from my available balance. I had a large check that cleared the bank 1 day before my direct deposit posted to my account. The bank charged an overdraft fee to pay the large check, which I can understand. They also charged 4 overdraft fees for the small debit card transactions that were pending on my account from days before. The money was already reserved and available for those transactions, they say they had to pay them into the overdraft because of the large check that came through on the same night that the pending debit transactions were clearing the bank. Their blanket response is that it is that they pay the largest item first to make sure it gets paid and then they pay the smaller items. That does not make sense when they pay all of them anyway and the money was already held for 4 previous transactions. This is very deceptive because they are holding funds for debit cards but if a check is presented, they will pay it first so they can charge overdraft fees for the debit card transactions.

Example:

Bank Balance \$400.00 on 7-27-08

Debit Card Transactions:

\$20.00 pending 7-27-08

\$10.00 pending 7-27-08

\$20.00 pending 7-28-08

Available Bank Balance \$350.00 7-28-08

Check for \$500.00 presented to bank 7-29-08

Bank pays check for \$500.00 first and charges an overdraft fee and charges overdraft fees for the 3 previous debit card transactions that were held and pending from days before.

Overdraft fees  $4 \times \$35.00 = \$140.00$

Only one fee should have been charged for the \$500.00 check.

Thank you for any help you can provide.

Susan Ford  
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