

From: Jihanne Fils-Aimé
Subject: Electronic Fund Transfers

Comments:

To Whom It May Concern:

I am e-mailing you about a news broadcast I saw on News Channel 4 in reference to overdraft fees.

I am a consumer and I work for Bank of America. I find the overdraft practice of this bank to be unfair and thievery, at best. Let me explain.

When I started with the bank nearly nine years ago, overdraft fees were not given so freely. If I went shopping and I did not have sufficient funds in my account, I was automatically declined. Now, my card will go through no matter what, and there is even the option to overdraw your account at the ATM, which I find puts people, should they choose this option, in a constant hole, especially if they do not have enough money to live on.

I have been hit up with overdraft fees many times, and I understand that I should be responsible by balancing my checkbook and knowing how much I have in my account at all times. I am not one to contact the bank and ask for fee reversals-I know that if I make a mistake, I pay for it by receiving overdraft fees. However, two weeks ago, I was charged four overdraft fees. I checked my account and did not see a negative balance anywhere to see where these charges stemmed from. Since I work at the bank where I hold my accounts, I had a colleague of mine access my account on our system to find out what happened. I first went to my account through online banking and showed my colleague that my account was not negative recently. He then checked three different systems and could not find evidence of a negative balance. I called Associate Banking to find out how I was negative and to get my fees back. I was told I was negative and the only way I could see it is if I clicked on a certain link called AVAILABLE BALANCE HISTORY online, and it shows my available balance with holds and without holds. The balance without holds shows positive and the balance without holds shows where you are negative. Since this link online does not reflect the same information that any of the systems my colleague used to view my account, we argued with the Associate Banking representative that this was another way to gouge account holders. This was apparently a way to justify their ever increasing fees and a backdoor way of charging customers. I stated that if the customer is going to pay for fees, the statement must clearly show why-my online statement did not show anything but the fees. After much debating, the representative said I was qualified for only two overdraft fee reversals, not all four. I felt defeated and accepted the two reversals.

As an associate of Bank of America, I find that many customers have been charged unfairly. In the past, I have broken down and agreed with customers when they have been unfairly charged with overdraft fees. I remember speaking with a customer service representative in a back room while I had a customer at my desk. I asked the representative how do I tell my customer that we cannot prove or justify the fee and just take it as it is, because neither the representative nor I saw a reason why this customer should have been charged overdraft fees. The representative told me, "I'm sorry. I don't know what else to tell you." I was put in a situation where I could not confidently tell my customer why she was charged overdraft fees-she asked to close her account on the spot and vowed to never bank with Bank of America again.

I do not think that overdraft fees should be considered an overdraft protection, as it was portrayed in the news broadcast on March 5, 2009. Overdraft protection can be a credit card or savings account linked to your primary checking account that moves money over anytime your checking is in danger of falling negative. Banks claim they are providing a courtesy by allowing charges to go through then charge \$35 for each purchase that makes an account even more overdrawn. This is not a courtesy-it is a way for the banks to make more money off of customers, particularly low income earners. I worked at a banking center in a low income section of Washington, DC. Over half of the customers who walked in the banking center were constantly overdrawn, begged for the fees to be reversed, only to repeat the same song and dance the following month or even week. How can a bank reward account holders with specialized accounts and products for keeping high balances and punish those who can barely keep the minimum balance in their checking accounts, much less avoid overdraft fees? How come banks do not reward those who PREVENT overdraft fees by putting \$35 in their account maybe once a year? Where is the incentive? But more importantly, where is the honesty? Banks find a way to nickel and dime their customers and make fancy excuses and systems to justify their actions. I find this practice to be akin to check cashing places, where customers are charged 300% interest, forcing people to borrow elsewhere to pay back the payday loan-a vicious cycle that never ends.

I would like to see the Federal Reserve take action on this, especially in the tough economic situation Americans are in at the moment. Regulating this overdraft fee process across the board would help many of us. I suggest taking a look at some of the European banking systems-the majority of my current client base is European and my clients do not overdraft their personal accounts back home, but many have fallen victim to our overdraft system, calling it confusing and a way to steal from customers. I have to agree.

Thank you very much for taking the time to read my e-mail. I hope my e-mail, as well as others, have helped the Federal Reserve to make a decision on how to fix this unfair problem with overdraft fees.

Sincerely,

Jihanne Fils-Aimé