

# Southwest National Bank

## OVERDRAFT PRIVILEGE SERVICE POLICY

(A *Discretionary* Overdraft Service)  
Business Accounts  
Effective June 23, 2020

**Southwest National Bank** (“we, us or our”) offers the Overdraft Privilege Service. If your account qualifies for Overdraft Privilege, we will consider, without obligation on our part, paying items for which your account has insufficient or unavailable funds, instead of automatically returning those items unpaid. This document explains how Overdraft Privilege operates.

### Transactions that May Qualify for Overdraft Privilege

An overdraft occurs when you do not have enough money in your account to cover a transaction. Although there are many reasons why your account might become overdrawn, most overdrafts result from the following:

- a) You write a check, swipe your debit card or initiate an electronic funds transfer in an amount that exceeds the amount of funds available in your account;
- b) You deposit a check or other item into your account and the item is returned unpaid, which causes a negative balance in your account once your balance is reduced by the amount of the returned check;
- c) You have inadequate funds in your account when we assess a fee or service charge; or
- d) You initiate a transaction before funds deposited into your account are "available" or "finally paid" according to our Funds Availability Policy. For example, if you deposit a check into your account, the proceeds of that check may not be available to you for up to two days after you deposit the check. If you do not have sufficient funds in your account—independent of the check—to cover the transaction, you will incur an overdraft.

The Overdraft Privilege Service applies to a variety of transactions, including checks and other transactions made using your checking account number, automatic bill payments, ATM transactions and everyday debit card transactions. Participation in Overdraft Privilege is not mandatory. You may opt-out of the service any time by notifying one of our service representatives.

As noted above, we retain full discretion to decline to pay any item under the Overdraft Privilege Program. This means we can refuse to pay any overdraft for any reason. Even if we decide to pay an overdraft item, absent an agreement to the contrary, such payment does not create any duty to pay future overdrafts. If we do not authorize and pay an overdraft, your transaction will be returned and we may assess NSF fees on your account in accordance with your account agreement and the fee schedule in effect at the time of the overdraft.

### Fees –Business Accounts

For each overdraft we pay, we will charge the standard per item overdraft fee set forth in our fee schedule (currently **\$30.00**). There is a maximum of six (6) charges (\$180) per day. A fee will not be charged if the resulting overdraft balance is less than \$5.00. In addition, we will charge your account a **\$5.00** per day “continuous overdraft fee”. Typically, we will start charging the continuous overdraft fee on the tenth business day your account is overdrawn and will continue to charge the continuous overdraft fee for each subsequent consecutive business days your account remains overdrawn; there is otherwise no limit on the total amount of continuous overdraft fees for each subsequent consecutive business day your account remains overdrawn. We will notify you by mail if we pay or return any insufficient or unavailable funds items on your account; however, we have no obligation to notify you before we pay or return any item. The amount of any overdrafts, including our fees, is due and payable immediately or on demand.

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### Accounts Eligible for Overdraft Privilege

Overdraft Privilege is a discretionary service and is generally limited to a \$1,000 overdraft (negative) balance for eligible Economy and Small Business checking accounts (must be owned by a Sole Proprietor). Please note that the per item and continuous overdraft fees count toward your Overdraft Privilege Limit. We may in our sole discretion limit the number of accounts eligible for Overdraft Privilege to one account per household or per taxpayer identification number. Further, Overdraft Privilege is usually extended only to accounts in good standing. An account in good standing exhibits, but is not limited to, the following characteristics:

- a) The account has been open for at least forty-five (45) business days;
- b) The account has deposits totaling at least \$800 or more within each thirty (30) day period;
- c) The account demonstrates consistent deposit activity;
- d) The account owner is current on all loan obligations with us; and
- e) The account is not subject to any legal or administrative order or levy, such as bankruptcy or tax lien.

We reserve the right to suspend Overdraft Privilege at any time. If Overdraft Privilege is suspended, any item presented will be returned if a sufficient deposit is not made. An account will be suspended if, but is not limited to, the following events occur:

- a) The account is overdrawn for 35 calendar days;
- b) The account no longer receives deposits totaling \$800 or more within each thirty (30) day period; or
- c) The account becomes subject to any legal or administrative order or levy

If during the first 90 days your account is suspended, your account is positive for thirty (30) consecutive business days and meets the other criteria listed above, Overdraft Privilege may be reinstated. If it is not reinstated within 90 days, you may need to contact us to manually review your account.

We offer other overdraft protection services in addition to Overdraft Privilege. Overdraft protection links a primary account to another account of yours with us, such as a savings account. If you apply and are approved for these optional services, you may save money on the total fees you pay us for overdraft services.

Overdrafts should not be used to pay ordinary or routine expenses and you should not rely on overdrafts as a means to cover these expenses. If at any time you feel you need help with your financial obligations, please contact one of our customer service representatives toll free at (800)747-5303 or locally at (316)291-5303.

### Overdraft Privilege Opt-out Notice

If you wish for us to always return any check that would overdraw your account, you may opt-out, that is, direct us not to provide this valuable service to you. Simply write to:

**Overdraft Privilege Opt-out**  
Southwest National Bank  
P.O. Box 1401  
Wichita, KS 67201

or call: **(316) 941-1300**

