

Sample Demand Letter

Victims of worthless checks are required to make at least one attempt to notify a check writer to demand payment of a dishonored check. **This must be done by mail. The check writer must then be given fifteen (15) days to respond.** (If, after that time, the matter has not been resolved, the check can be referred to the Check Enforcement Program. See the Program Guidelines for more details on referring a check.)

The sample demand letter below is suitable to send the check writer. The language of the letter conforms to the requirements of Oregon statutes and the District Attorney's Office.

Note: Victims of worthless checks must not make any threats of prosecution - written or oral - to enforce or enhance the collection or honoring of the check.

Be sure to date the letter.

You can vary this text, but the text of a demand letter must "substantially conform to" this wording.

You may require your usual, posted fee amount. However, when you submit the check to the Check Enforcement Program we also collect \$10 as a service fee - in addition to the amount of your check.

Keep a copy of the letter for your files.

If it is returned as undeliverable, you should enclose the undelivered letter when you submit the check to the Check Enforcement Program.

Calling the check writer:

In the event you contact the check writer by phone, you should give essentially the same information as shown in this sample letter.

Of course you are free to discuss the matter with the check writer, but remember to avoid threats of prosecution.

(Company letterhead)

Check writer _____ Date _____
Address _____
City, State Zip _____

Re: Notice of Dishonored Check

You are hereby notified that a check, number _____, issued by you on *(date of check)*, drawn upon *(name of bank)*, and payable to *(your business)*, has been dishonored.

You have fifteen days from the date of this notice to tender payment of the full amount of the check plus a fee of \$_____ to the undersigned at:

You are further notified that in the event the above amount is timely paid in full, you will not be subject to legal proceedings, civil or criminal.

Sincerely,

(Signed)
(phone number)

FOR MORE INFORMATION

If you have questions about the Program or any of the bad checks you have referred, call us toll free at **1-888-628-7686**. Or, contact us on the Worldwide Web at **hotchecks.net/Lane**.

Lane County District Attorney's Check Enforcement Program

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