

- WISCONSIN -
Claim and Declaration of Loss for Lost, Stolen, or Destroyed
Credit Union Cashier's Check or Teller's Check
 (Do not use for Certified Checks.)

Credit Union: _____

Claimant(s): Name(s): _____

Address: _____ Phone: _____

A claim submitted in compliance with Wis. Stats. § 403.312(2) becomes enforceable at the later of the time that the claim is asserted or the 30th day following the date of the Cashier's Check or Teller's Check.

Until the claim becomes enforceable, it has no legal effect and the Credit Union may pay the Cashier's Check or, in the case of a Teller's Check, may permit the drawee to pay the check. Payment to a person entitled to enforce the check discharges all liability of the Credit Union with respect to the check.

If the claim becomes enforceable before the check is presented for payment, the Credit Union is not obliged to pay the check.

When the claim becomes enforceable, the Credit Union becomes obliged to pay the amount of the check to the Claimant if payment of the check has not been made to a person entitled to enforce the check. Subject to Wis. Stats. § 404.302 (1) (a), payment to the Claimant discharges all liability of the Credit Union with respect to the check. If the Credit Union pays the amount of the check to the Claimant under this paragraph and the check is presented for payment by a person having rights of a holder in due course, the Claimant is obliged to:

- a. Refund the payment to the Credit Union if the check is paid, or
- b. Pay the amount of the check to the person having rights of a holder in due course if the check is dishonored.

If the Claimant has the right to assert a claim with this form and is also a person entitled to enforce a check which is lost, destroyed or stolen, the Claimant may assert rights with respect to the check either with this claim or under Wis. Stats. § 403.309, if applicable.

1. I claim the right to receive the amount of a check, described below, that was lost, destroyed or stolen as described in the Declaration of Loss. I am (or am the authorized representative of) the:

(Complete a or b:)

- a. ☐ Remitter of a ☐ Cashier's Check ☐ Teller's Check issued by the above-named Credit Union,
- b. ☐ Payee(s) of a ☐ Cashier's Check ☐ Teller's Check issued by the above-named Credit Union,

which is reasonably identified as follows:

Check number: _____ Amount: _____ Date of check: _____

Payee(s): _____

2. I understand that this claim may be honored if all of the following apply:

- a. I am (or I am the authorized representative of) the remitter or payee of the described Cashier's Check or Teller's Check;
- b. I complete the Declaration of Loss below;
- c. I describe the check with reasonable certainty;
- d. My claim is received at a time and in a manner affording the Credit Union a reasonable time to act on it before the check is paid; and
- e. I provide reasonable identification if requested by the Credit Union.

Declaration of Loss

Under penalty of perjury, I declare that:

- a. I am the remitter or payee of the Cashier's Check or Teller's Check described above,
- b. I lost possession of the Cashier's Check or Teller's Check,
- c. The loss of possession was not the result of a transfer by me or a lawful seizure, and
- d. I cannot reasonably obtain possession of the check because:

(Mark one:)

- ☐ the check was destroyed.
- ☐ the check's whereabouts cannot be determined.
- ☐ the check is in the wrongful possession of an unknown person.
- ☐ the check is in the wrongful possession of a person that cannot be found.
- ☐ the check is in the wrongful possession of a person who is not amenable to service of process.

Signature(s): _____ **Date:** _____

Title(s): _____ **Identification:** _____

(If signing as authorized representative)

Delivery of a Declaration of Loss is a warranty of the truth of the statements therein. If you recover the check, please mark it "VOID" and return it to the Credit Union promptly.

FOR CREDIT UNION USE ONLY: Date received: _____ By: _____