

CERTIFIED NOTICE

Demand for Payment of Dishonored Check

To: _____ Date: _____

You are hereby notified that a check drawn by you in the sum of _____

\$ _____

dated _____ drawn on _____ Bank,
and payable to _____ has been
returned by the bank unpaid with that statement that payment was refused because of _____

For your information, a portion of the Iowa law concerning checks is set forth below. Demand is hereby made upon you for the immediate payment of the above mentioned check.

HOLDER

Name _____

Address _____

City _____

Check \$ _____

Check Expense \$ _____

Certification \$ _____

Total \$ _____

THE IOWA LAW

714.1. Theft Defined. A person commits theft when the person does any of the following:

(6) Makes, utters, draws, delivers, or gives any check, share draft, draft, or written order on any bank, credit union, person or corporation, and obtains property or service in exchange therefor, if the person knows that such check, share draft, draft or written order will not be paid when presented.

Whenever the drawee of such instrument has refused payment because of insufficient funds, and the maker has not paid the holder of the instrument the amount due thereon within ten days of the maker's receipt of notice from the holder that payment has been refused by the drawee, the court or jury may infer from such facts that the maker knew that the instrument would not be paid on presentation. Notice of refusal of payment shall be by certified mail, or by personal service in the manner prescribed for serving original notices.

Whenever the drawee of such instrument has refused payment because the maker has no account with the drawee, the court or jury may infer from such fact that the maker knew that the instrument would not be paid on presentation.

714.2. Degrees of Theft.

(1) The theft of property exceeding ten thousand dollars in value . . . is theft in the first degree . . . is a class "C" felony.

(2) The theft of property exceeding one thousand dollars but not exceeding ten thousand dollars in value . . . is theft in the second degree . . . is a class "D" felony.

(3) The theft of property exceeding five hundred dollars but not exceeding one thousand dollars in value . . . is theft in the third degree . . . is an aggravated misdemeanor.

(4) The theft of property exceeding one hundred dollars in value but not exceeding five hundred dollars in value is theft in the fourth degree . . . is a serious misdemeanor.

(5) The theft of property not exceeding one hundred dollars in value is theft in the fifth degree . . . is a simple misdemeanor.

The Penalties

CRIMINAL CODE OF IOWA, Chapter 902, Felonies

902.9(4) A class "D" felon, not an habitual offender, shall be confined for no more than five years, and in addition may be sentenced to a fine of not more than seven thousand five hundred dollars.

CRIMINAL CODE OF IOWA, Chapter 903, Misdemeanors

903.1 Maximum Sentence for Misdemeanants.

1. When a person is convicted of . . .
a. . . a simple misdemeanor, imprisonment not to exceed thirty days, or a fine not to exceed one hundred dollars.
b. . . a serious misdemeanor, imprisonment not to exceed one year, or a fine not to exceed one thousand dollars, or both.

2. When a person is convicted of an aggravated misdemeanor . . . the maximum penalty shall be imprisonment not to exceed two years, or a fine not to exceed five thousand dollars, or both.