

For complete terms and conditions, see the Business and Non-Personal Account Terms, Disclosures and Agreements Booklet (the "Booklet").

## **3.2. FUNDS AVAILABILITY DISCLOSURE**

Your ability to withdraw funds.

Our policy is to delay the availability of funds from your check deposits, cash deposits when made other than at an EverBank Financial Center, and any deposit made at an ATM. During the delay, you may not withdraw the funds in cash and we will not use the funds to pay checks that you have written. Even after we have made funds available to you and you have withdrawn the funds, you are still responsible for checks you deposit that are returned to us unpaid and for any other problems involving your deposit.

### **3.2.1. DETERMINING AVAILABILITY OF YOUR DEPOSIT**

THE AVAILABILITY OF FUNDS VARIES DEPENDING ON TIME OF DEPOSIT AND THE TYPE OF DEPOSIT AS SET FORTH IN THIS DISCLOSURE.

The availability of funds is determined in Business Days from the day of your deposit. Every day is a Business Day, except Saturdays, Sundays, and federal holidays. If you make a deposit before the applicable "cut-off time" on a Business Day that we are open, we will consider that day to be the day of your deposit. However, if you make a deposit after the applicable cut-off time, or on a day that we are not open, we will consider the deposit made on the next Business Day we are open.

For deposits made in person at an EverBank Financial Center, the applicable cut-off time is the time that the Financial Center closes. Each Financial Center has its own closing time, but all EverBank Financial Centers are open on Business Days until at least 4 pm ET unless an earlier closing time is posted at the Financial Center for special circumstances.

For deposits made at ATMs, cut-off times vary according to the financial institution that operates the ATM. Deposits made on a non-Business Day or after the applicable cut-off time will be considered made on the next Business Day that we are open. For deposits made at an ATM we own or operate, the applicable cut-off time is 4 pm ET. ATMs we own or operate are posted with the EverBank name. EverBank does not establish the cut-off times for ATMs operated by other institutions. However, signs may be posted on ATMs that clearly state the ATM cut-off time. If the time is not posted, in general, make your deposit before noon Monday through Friday (excluding federal holidays), and the deposit likely will be processed that day and treated as if made on that day. In general, if you deposit after noon Monday through Friday, on a weekend, or on a holiday, your deposit will be treated as if the deposit was made the following Business Day. For deposits made using our Online Check Deposit or Mobile Check Deposit Service, the applicable cut-off time is 7 pm ET. For deposits made using Remote Deposit Capture Service, the applicable cut-off time is 6 pm ET. Such Deposits made on a non-Business Day or after this cut-off time will be considered made on the next Business Day that we are open.

### **3.2.2. DEPOSITS MADE AT NON-EVERBANK ATM TERMINALS**

Funds from any deposits (cash or checks) made at ATMs we do not own or operate will not be available until the fifth Business Day after the day of your deposit. If your total deposit is more than \$5,000 on any one day, the first \$5,000 of your deposit will be available on the fifth Business Day after the day of your deposit; the remaining funds will be available on the eighth Business Day after the day of your deposit.

### **3.2.3. SAME-DAY AVAILABILITY**

Funds from electronic direct deposits (ACH credits), wire transfers to your account, and cash deposits made in person to one of our employees at an EverBank Financial Center will be available on the day we receive the deposit. Once they are available, you can withdraw the funds in cash, and we will use the funds to pay checks that you have written.

### **3.2.4. NEXT-DAY AVAILABILITY**

Except as otherwise provided, our policy is to make funds from your cash deposits (when not made in person to one of our employees at a Financial Center) and check deposits available to you on the first Business Day after the day we receive your deposit.

DO NOT SEND CASH FOR DEPOSIT USING THE U.S. MAIL OR ANY OTHER DELIVERY SERVICE. EVERBANK CANNOT BE RESPONSIBLE FOR YOUR LOSS IF YOUR DEPOSIT IS LOST, STOLEN, OR MIS-DELIVERED BEFORE WE RECEIVE IT.

### 3.2.5. LONGER DELAYS MAY APPLY

If you deposit checks totaling more than \$5,000 in a single Business Day, only \$5,000 will be available to you on the Business Day after the day the checks were deposited. The remaining funds will be available to you on the fourth Business Day after the day of your deposit.

Funds you deposit by check may be delayed for a longer period under the following circumstances:

1. if we believe the check you deposit will not be paid;
2. you redeposit a check that has been returned unpaid;
3. you have overdrawn your account repeatedly in the last six (6) months; and/or
4. there is an emergency, such as failure of computer or communications equipment.

**Funds delayed for these reasons will generally be available no later than the fifth Business Day after the day of your deposit. We will notify you if we delay your ability to withdraw funds for any of these reasons, and will tell you when the funds will be available.**

### 3.2.6. SPECIAL RULES FOR NEW ACCOUNTS

If you are a new client, the following special rules may apply during the first 30 days that your account is open:

1. funds from deposits of cash, wire transfers, and electronic direct deposits into your account will be available on the day we receive the deposit, unless the funds were deposited at an ATM;
2. funds from the first \$5,000 of a day's total deposits of cashier's, certified, teller's, traveler's, and federal, state, and local government checks will be available on the first Business Day after the day of your deposit, if the deposit meets certain conditions. For example, the checks must be payable to you and for certain items you must contact us directly. The excess over \$5,000 will be available on the eighth Business Day after the day of your deposit; and
3. funds from all other checks will be available on the fifth Business Day after the day of your deposit. The excess over \$5,000 will be available on the eighth Business Day after the day of your deposit.

### 3.2.7. SPECIAL RULES FOR DEPOSITS MADE TO FOREIGN CURRENCY DENOMINATED ACCOUNTS WITH EVERBANK WORLD MARKETS

If you send us United States dollars to fund an account that will be denominated in a foreign currency, your United States dollar deposit first will be made to a United States dollar-denominated account (either your Cash Management Account or, if you do not have the Asset Manager Service, a United States dollar-denominated WorldCurrency Access® Account). Funds from United States dollar deposits will be available in accordance with availability rules outlined above. On the day your United States dollar funds are available, those funds will be transferred to your WorldCurrency® Account for the foreign currency transaction you have requested.

### 3.2.8. FOREIGN CHECK AND OTHER FOREIGN CURRENCY DEPOSITS

**3.2.8.1. Foreign Cash.** EverBank does not accept physical foreign currency for deposit. You can only deposit foreign currency with us by check or wire.

**3.2.8.2. Foreign Checks.** If you deposit a check that is payable in a foreign currency, we will send your check to another bank for collection and the availability of your funds for withdrawal will be delayed. The length of the delay before your funds will be available for withdrawal will depend on how long it takes us to receive finally collected funds for the check. This delay generally will be 4 to 6 weeks. If we send your check for collection you will be charged, and you agree to pay, a check collection and other applicable fees as set forth in the Deposit Account Fee Schedule.

**3.2.8.3. Foreign Wires.** If you deposit funds to your account by sending us a wire transfer of a foreign currency, your funds will be available for withdrawal on the next Business Day after the Business Day we receive the wire. If we receive your wire before 4 pm ET on a Business Day, we consider your wire to be received on that Business Day. If your wire is received after 4 pm ET, we will consider your wire received on the next Business Day.

### 3.2.9. SPECIAL RULES FOR CERTIFICATES OF DEPOSIT, MONEY MARKET ACCOUNTS, AND SAVINGS ACCOUNTS

Funds deposited to a certificate of deposit (CD) are subject to Early Withdrawal penalties if withdrawn prior to the maturity date of the CD. See Specific Terms—Banking Deposit Accounts and/or Specific Terms—World Markets® Accounts in the Booklet for the Early Withdrawal penalty for the specific type of CD you have. All deposits to a CD are otherwise subject to this Funds Availability Disclosure as described above.

Funds deposited to a money market or savings account are subject to withdrawal and transaction limits in addition to this Funds Availability Disclosure. See Transaction Limitations in the Specific Account Terms—Banking Deposit Accounts and/or Specific Terms—World Markets Accounts in the Booklet for your account type for details.



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