

N.Y. Banco Popular Overdraft Fee Class Action Settlement

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By Christina Davis June 1, 2018
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If you were hit with an overdraft fee from Popular Community Bank while holding an account in New York, you may be entitled to a partial refund from a \$5.2 million class action settlement.

Lead plaintiffs accused Popular Community Bank, formerly known as Banco Popular, of unlawful overdraft fee policies and practices.

The Popular Community Bank class action lawsuit claimed that the New York bank failed to provide a “Real Time” warning to customers that their account would be overdrawn while making ATM or “point of sale” withdrawals or purchases.

Further, the bank allegedly reorganized transactions to **maximize overdraft fees**. The class action lawsuit also accused Popular Community Bank of failing to provide customers with accurate balance information at ATM machines.

Popular Community Bank maintains that it did not violate New York law, but has agreed to reimburse Class Members approximately 50 percent of overdraft fees paid between Jan. 25, 2012 and Sept. 30, 2014. Class Members are limited to New York Popular Community Bank accountholders only.

Class Members can opt out or exclude themselves from the class action settlement agreement until July 6, 2018.

Who's Eligible

Class Members include New York Popular Community Bank accountholders who paid an overdraft fee as a result of an ATM or "point of sale" withdrawal or transaction between Jan. 25, 2012 and Sept. 30, 2014.

Potential Award

Varies depending on number of qualifying overdraft fees paid.

"Settlement Class Members will receive a distribution equal to (i) 50% of all Initial Overdraft Fees paid by them on their Account(s) during the Class Period for ATM withdrawals or POS Debit Card transactions that the Settlement Class Member estimates were caused by one or more of the Disputed Practices; and (ii) 50% of one (1) Continuous Overdraft Fee for every two (2) Initial Overdraft Fees incurred by the Settlement Class Member on ATM withdrawals or POS Debit Card transactions from January 25, 2012 through September 30, 2014. "

Settlement payments may be adjusted on a *pro rata* basis if the total amount exceeds \$5.2 million or is less than \$550,000.

Proof of Purchase

Notice ID or Popular Bank account number(s).

Claim Form

[CLICK HERE TO FILE A CLAIM »](#)

NOTE: If you do not qualify for this settlement do NOT file a claim.

Remember: you are submitting your claim *under penalty of perjury*. You are also harming other eligible Class Members by submitting a fraudulent claim. If you're unsure if you qualify, please read the FAQ section of the Settlement Administrator's website to ensure you meet all standards (Top Class Actions is not a Settlement Administrator). If you don't qualify for this settlement, check out our database of other **open class action settlements** you may be eligible for.

Claim Form Deadline

7/23/2018

Case Name

Valle v. Popular Community Bank, Case No. 653936/2012, in the Supreme Court of the State of New York, County of New York, Commercial Division

Final Hearing

8/6/2018

Settlement Website

<https://BPNAOverdraftFeeSettlement.com>

Claims Administrator

Banco Popular Overdraft Fee Settlement

c/o A.B. Data Ltd.

P.O. Box 173048

Milwaukee, WI 53217

1-888-208-9630

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