

Date: [Insert Date]

To: [Name of Trustee/Fiduciary]

[Address]

[City, State, Zip Code]

RE: NOTICE OF BREACH OF FIDUCIARY DUTY - TRUST ACCOUNT OVERDRAFT

Dear [Name of Trustee],

This letter serves as formal notice regarding an overdraft occurrence in the [Name of Trust] bank account (Account Number: [Last 4 Digits]) on [Date of Overdraft].

As the designated Trustee, you owe a strict fiduciary duty to the beneficiaries of this Trust. This duty includes the legal obligation to manage trust assets with the highest standard of care, prudence, and loyalty. Specifically, you are required to preserve trust property and avoid the wasting of assets through negligence or mismanagement.

The occurrence of an overdraft suggests a failure to properly monitor account balances and may constitute a breach of your fiduciary duties for the following reasons:

- **Improper Management:** Failure to maintain sufficient funds for disbursements.
- **Waste of Assets:** Incurring unnecessary bank penalties and overdraft fees.
- **Duty of Care:** Failure to exercise the diligence required in overseeing financial transactions.

Required Actions:

1. Provide a written explanation for the cause of the overdraft within [Number] days.
2. Provide a full accounting of the trust's current financial status.
3. Reimburse the Trust account for any fees or interest incurred due to this overdraft from your personal funds.

Please be advised that continued mismanagement or further breaches of duty may result in legal action to seek your removal as Trustee, as well as personal liability for any losses sustained by the Trust.

We expect your immediate attention to this matter.

Sincerely,

[Your Name/Law Firm Name]

[Your Title/Relationship to Trust]

[Contact Information]