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How To Whine To A Bank... Effectively.

All, the last column dealt with my dissatisfaction with a bank that had been holding on to a nominal sum of money (although \$216 is nothing to sneeze at) without ever letting me know that they held an account that I was unaware of. [Update: today I sent a certified letter to the CEO, again explaining the situation. The letter was amplified by five exhibits and my signature was notarized by Mark Thomley, of the APT Group, a friend who lives here in Black River Falls. He represents New York Life. Mark, after reading APT, called me this morning to volunteer his services as a notary. We got it done.]

Why write to the top dog?

Jeff Gitomer, who has considerable insight into the business world, once told me that CEOs frequently don't have very much to do. Mostly, they are receiving endless reports from subordinates, evaluating them and the subordinates. This does not necessarily take up all of their time. Another APT Group member, Jan Moran, who holds an MBA from Harvard as well as being a best-selling author (Google & AI Jan) observed that CEOs are also able to fill their time with golf/squash/tennis, lunches/dinners, etc. [Note: Jan was the CEO of her own company. She assured me that her company never quite reached the scale where she had time for anything but business. And I believe her because I was her lawyer at the time. It was like having the Energizer Bunny as a client.]

The CEO of the company is likely to have time to read your letter. Also, it is often a certainty that they have someone on their staff will take care the issue about which you are writing.

How to do it...

Listen, nobody wants to get a letter that is doing nothing but bitching. That's an unpleasant and generally ineffective way to establish communication with somebody.

My approach is to start the letter by explaining that I am a customer of the company. And that I chose to do business with the company because I believed in its reputation/products/customer service. If this is your opening paragraph you're going to connect rather quickly with the reader, particularly if they are at the top of the company. This isn't just stroking the CEO; it's letting them know that you are a customer. Everybody wants customers. Because nothing happens until something is sold. (Think that's a quote from Gitomer.)

After I have made the connection as a customer I describe the problem. There is no reason to be insulting when you do this. Avoid whining, too. It may make sense to express surprise at the problem because you have been a customer for a long time or you became a new customer because you were sure that everything was going to be fine.

Something that is frequently overlooked when writing this type of letter is including specifics. The most specific information that the CEO might need would be the names of the people with whom you had contact. (A rule of thumb is to always ask for the name of the person you are dealing with and their employee number if they have one. If they are reluctant

to provide this information, that might be a clue.)

If I have paperwork supporting my contentions in the letter seeking resolution of a problem, I always include it. I make a point of organizing the paperwork so that it tells the story I need to get across. If I have photographs, they are enclosed and identified.

The conclusion of the letter will describe what I believe would be a satisfactory resolution of the problem, ranging from getting my money returned to any other action that would solve the problem. Something else that I always do is add a paragraph thanking the CEO for their interest in resolving the matter. If it seems appropriate I will suggest a deadline date; alternatively, I will ask about the timeline for addressing the matter.

Sending the Letter...

Proof of delivery is essential. For that reason I always use Certified Mail with a return receipt requested. Don't go for the electronic receipt. I always want something tangible. I am not real keen on Express Mail, unless I feel like spending the money. FedEx works extremely well.

The Response...

The odds favor a response. Nearly always. The response will be motivated by a few factors. Among them are: wanting to do the right thing, telling you that the whole problem is your fault, avoiding litigation or complaints to a regulatory body.

If No Response...

In the event that I don't receive a response, I will usually send the letter again, accompanied by a cover letter asking when the first letter might be answered. That is a fairly low-key approach. [Note: In my experience trying to reach anybody by telephone that is remarkably frustrating and nonproductive; therefore, I stick to the written word – with a return receipt requested to prove delivery.]

If the entity to which you are writing is somehow regulated by a governmental agency, you can always complain to the agency about the lack of response. Sometimes, but not always, this works.

Finally, if there is a legal issue at stake, contact a lawyer, make sure the lawyer knows how to approach the situation. Not all of them do. Trust me on that. Also, there may be economic considerations when you retain counsel unless it looks like a juicy contingency case.

Why I wrote about this...

I guess that I am tired of seeing how we are often taken for granted by companies or organizations. We count. We deserve accountability. [Note: I hope I don't seem like a know-it-all-smart-arse-lawyer giving out advice to people who more than likely know what to do without a word from me.]

First yawn...

Until tomorrow...

Ken

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