

DANNY DARDEN - DELINQUENT TAX COLLECTOR
919-545-8360
danny.darden@chathamcountync.gov

ENFORCED TAX COLLECTIONS

Enforced collection of taxes can be initiated as soon as taxes become delinquent. See NCGS [§105-366](#). Forced collection actions may include but are not limited to:

- Garnishment of wages
- Attachment of bank accounts and rents
- Levy (seizure and sale) against personal property
- Debt Setoff
- Sheriff's Execution (fee is determined by Sheriff's Office)

See [Foreclosures](#) for real property tax sales.

Attachments & Garnishments: NCGS [§105-368](#)(a) gives the tax collector the authority to "attach wages and other compensation, rents, bank deposits, the proceeds of property subject to levy, or any other intangible personal property, including property held in the Escheat Fund". When wages are attached, the employer is required to send not more than 10% of the employee's gross wages for any one pay period. In the case of a rent, bank, or other attachment, all funds due or being held on behalf of the taxpayer must be paid up to the amount of the debt owed to the tax office.

A garnishment fee of \$30.00, per notification letter, is assessed against the taxpayer to cover the administrative costs of the attachment/garnishment action.

Occasionally the tax office will receive a payment from an employer after the taxpayer has voluntarily paid everything due under the attachment. Upon receiving these funds, the tax office deposits them in our bank account. If there are other bills due for the taxpayer at that time, the funds will be used to pay that bill. If there are NO bills due a refund is issued to the taxpayer. The refund is typically mailed to the taxpayer within 20 days.

Levy: NCGS [§105-367](#) outlines the procedure for levy.

The personal property under levy will be seized and removed from the custody of the taxpayer. If the property cannot be removed, the collector will take whatever actions are necessary to protect the levy. The collector is authorized by NCGS §105-367(c) to advertise the sale "in any reasonable manner and for any reasonable period of time [s]he deems necessary to produce an adequate bid for the property." The costs of the additional advertising are to be recovered from the funds received at the sale.

Debt Setoff: North Carolina state law allows the county to file a claim for unpaid property taxes against a delinquent taxpayer's income tax refund. If a claim is filed, the clearinghouse retains a \$15.00 fee and the Department of Revenue will retain a \$5.00 fee for tax liability of \$50.00 or more.