

## **Franchise Tax Board**



## Revenue Distribution Training

An Overview of FTB's Non Tax Debt Collection Programs



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## Court-Ordered Debt (COD)

**Program Overview** 

## FTB Program Basics

- Background
- Program Eligibility/Enrollment
- How the Program Works
- How Much It Costs You
- Program Statistics
- On-Line Services
- Case Highlight
- Program Support

# FTB Court-Ordered Debt Program COD Background

- In 1994, the State Legislature authorized the FTB to collect delinquent court-ordered debt as a pilot program.
- In 2004, the Legislature made the program permanent and expanded it statewide. (California Revenue and Taxation Code Sections 19280–19282).
- Funding is provided by the participating courts and agencies.
   These costs cannot exceed 15 percent of the amount FTB-COD collects (RTC Section 19280) on behalf of their clients.

### FTB Court-Ordered Debt

### **Program Eligibility and Enrollment**

#### **Eligibility**

- State Agencies:
  - Any type of Restitution Orders and fines imposed by juvenile or superior court of the State of California.
- Courts:
  - Any type of fines, state or local penalties, bail and forfeitures.
  - All offenses involving a violation of the Vehicle Code, and any amounts due pursuant to Section 903.1 of the Welfare and Institutions Code.

#### **Enrollment**

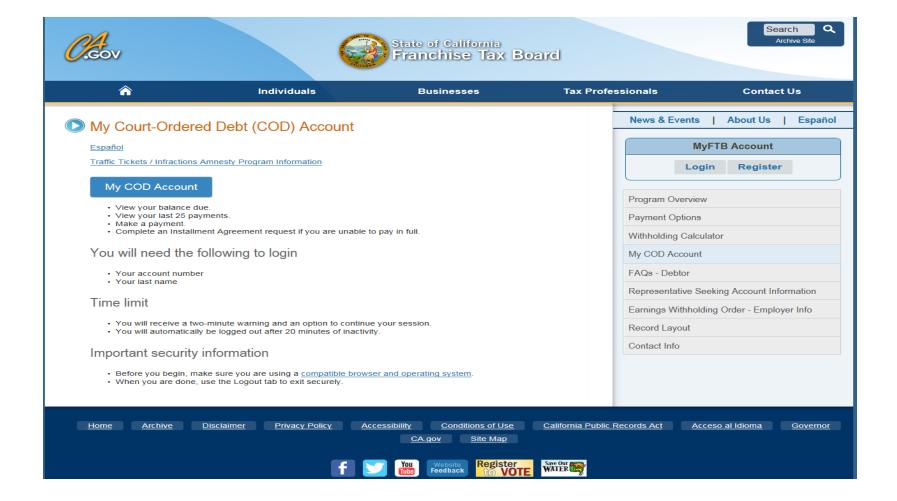
- Court-Ordered Debt Client Services
- Phone: 916.845.7503
- Email: <u>CODClientServices@ftb.ca.gov</u>

## FTB Court-Ordered Debt Program

#### **How the Program Works**

- Our clients issue a series of delinquent notices.
- We validate the essential collection information: National Change of Address (NCOA), DMV, & Social Security Number (SSN) validation.
- We create an account for the case and begin the collection cycle:
  - Issue Demand Notice
  - After 45 days we send a wage garnishment or bank levy
  - If no payment received, we repeat the process
  - We keep the case up to 24 months
- We will return the case sooner if:
  - We are unable to locate a good address or SSN
  - Case is deemed uncollectable
  - Client withdraws the case

# FTB Court-Ordered Debt MYCOD



## FTB COD Program



2014-2015 Fiscal Year Collection Totals					
Case Inventory		Collection Activity			
Beginning Inventory	1,754,631	Demand Notices	1,335,853		
Accepted Cases	743,631	Installment Agreements	61,990		
Withdrawn Cases	56,371	Bank Levies	167,325		
Returned Cases	690,494	Wage Levies	1,184,621		
Ending Inventory	1,690,476	Total Collection Activities	2,757,476		
		Total Collected	\$107,424,852		

# FTB Court-Ordered Debt Program Case Highlight

- In 2001, the debtor rented a motel room and set up a methamphetamine lab that caused more than \$25,000 worth of damage to the motel.
- Since 2002, debtor's payments totaled less than \$3,000.
- In June 2015, we sent the debtor a Demand Notice.
- Debtor paid the entire balance.

14 years after the motel was badly damaged, they received full restitution and were made whole.

## FTB Court-Ordered Debt Program

### **Program Support**

#### FTB services and support

Answer questions regarding the COD Program

#### Court-Ordered Debt Client Services

Phone: 916.845.7503

• Email: CODClientServices@ftb.ca.gov

#### Carrie Deterding, Program Manager

Phone: 916.845.5326

Email: Carrie.Deterding@ftb.ca.gov



## Interagency Intercept Collection

**Program Overview** 

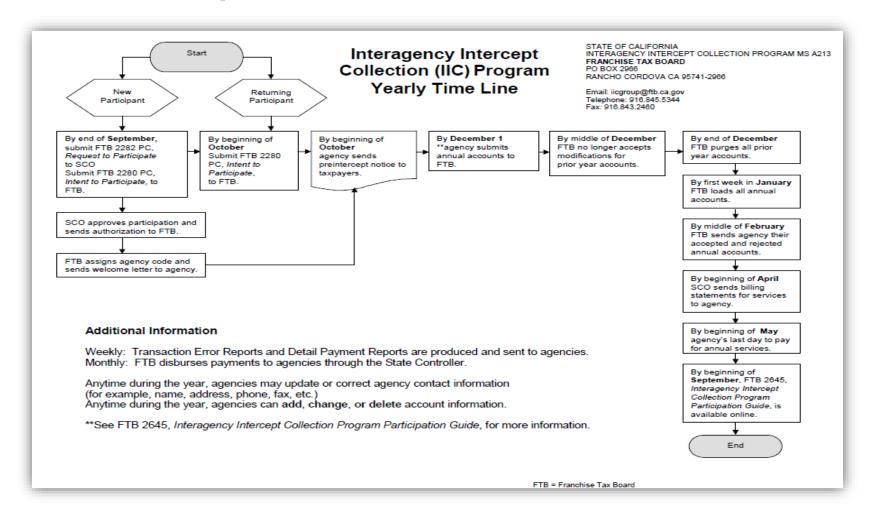
### **Background**

- Began in 1975 (Govt. Code Sections 12419.2-3, 12419.5, 12419.7-12).
- FTB redirects state:
  - Tax refunds
  - Lottery winnings
  - Unclaimed property disbursements
- FTB administers the Program on behalf of the State Controller's Office.
- In Fiscal Year 2014/2015, the Intercept Program:
  - Redirected more than 850,000 refunds/winnings/funds
  - Collected more than \$274 million

### **Program Eligibility**

- State agencies:
  - Any type of debt such as delinquent vehicle registration, sales, and employment taxes.
- Counties and cities:
  - Property taxes, delinquent fines, bails, vehicle parking penalties, court-ordered payments, or other permitted debts.
- California colleges:
  - Delinquent registration, tuition, bad check fees, library fines, federally subsidized student loans, or other permitted debts.
- Special districts:
  - Water bills, waste disposal fees, and fire inspection fees.

### **How to Participate**



# FTB Intercept Program How the Program Works

- Participating agencies submit debtor accounts via Secure Web Internet File Transfer.
- We flag accounts with an offset indicator.
- We reject debtor accounts that do not meet our criteria.
- Other considerations:
  - Debt type must qualify under program authority.
  - Pre-Intercept Notice mailed at least 30 days prior to submission.
  - Debt amount is at least \$10.

# FTB Intercept Program How the Program Works

- FTB notifies you when offset occurs.
- FTB sends the debtor an Intercept Notice with:
  - o Debtor's account number with the agency.
  - o Original payment amount.
  - o Offset amount.
  - o Remaining refund amount.
  - Agency's public contact address and telephone number.
  - o Government code authorizing the Intercept Program.

## FTB Intercept Program How Much It Costs You

- State Controllers Office charges a fee
  - Reimburse the administrative costs of the program.
  - Based on actual costs incurred.
  - Varies each year.
  - In 2015, the fee was approximately \$2 per offset.
- Annual bill each April
  - You get billed only for each successful offset we collect during the previous calendar year.

### **Program Support**

### FTB services and support

- Answer client questions.
- Provide copies of missing reports.
- Reconcile weekly reports to monthly fund transfer.
- Register for Secure Web Internet File Transfer (SWIFT).

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Fax: 916.843.2460

Email: <u>iicgroup@ftb.ca.gov</u>

## **IIC Program**



2014-2015 Fiscal Year Collection Totals					
Case Inventory		Intercept Dollars			
PIT Intercepts	849,487	PIT Intercept	\$260,992,315		
Lottery Winnings	4,961	Lottery Winnings	\$3,863,568		
Unclaimed Property	33,337	Unclaimed Property	\$8,459,127		
вое	431	ВОЕ	\$436,923		
EDD	188	EDD	\$590,678		
		Total Intercepted	\$274,342,611		

# Case Highlight IIC Program

- In January 2016, we intercepted \$160,900 IIC from unclaimed property.
- The intercept was applied to an FTB account.



### Non Tax Debt Collection Contact Information

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Denise Azimi, Program Manager Interagency Intercept Collection

Phone: 916.845.6896

Non Tax Debt Collection Program Mailbox

Nontaxdebtcollections@ftb.ca.gov

## Questions





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