

INSTRUCTIONS FOR USING REFERRAL TEMPLATES

Each state agency is responsible for exercising due diligence in attempting to collect full payment of all accounts receivable. The collection protocol can be found in DEP Directive 540. The referral templates in the Enforcement Manual should be used to request referrals for collection or write-off.

Under legislation passed in May 2010, agencies must submit delinquent accounts receivable (“debt”) to a collection agent for further action no later than 120 days of the claim being due and payable. The Collection Referral Template in the Enforcement Manual should be used to provide information for a collection request submitted to one of the collection agency under contract by the Department of Financial Services. Fill in as much available information as possible. Double check information such as the names of the responsible party and current balance of debt owed. The accuracy of this information is especially important if the matter is to be submitted for collection. The Write-off Referral Template should be used to provide information for a write-off request submitted to the Department of Financial Services. The Chief Financial Officer may disapprove a write-off request for a debt less than 4 years old unless the agency can make a sufficient showing to demonstrate why the debt should not be assigned to a collection agency.

Completed referrals involving outstanding debt of \$5,000 or less should be submitted to [Kelly Adams](#), Finance & Accounting, with a copy to Laurie Roughton, OGC. Preferably submittals should be in electronic format. Any matters involving an outstanding debt over \$5,000 should be submitted to [Laurie Roughton](#) in OGC for review by Jonathan Alden (per DEP Directive 540). Contact OGC or F&A if you have Kelly Adams or Laurie Roughton if you have any questions about how to fill out referrals.

COLLECTION REFERRAL TEMPLATE

Program Area	If referral coming from a District then select appropriate district abbreviation (i.e. Northwest select "NWD"). If referral coming from a Division or Bureau then select as appropriate.
System	System tracking the monies (i.e. OGC enforcement monies tracked thru LCT, select "LCT")
Responsible Party First /Last Name	Name(s) of the individual(s) owing the debt. This information can be found in the executed document. Please note when entering this information the person signing on <u>behalf</u> of a corporation, LLC or partnership usually is <u>not</u> liable for payment of debt <u>unless</u> that person signed individually too. This is different from when someone signs as "doing business as". Responsible party information is usually found in the first paragraph of a document and/or in the paragraphs in the ORDERED section addressing what monies are owed. Contact OGC if you have any questions about who the responsible person or entity for payment of debt is.
Co-Debtor	Use when more than one debtor
FEIN/SS	Provide FEIN if responsible party is corporation, LLC or partnership. The information can be found by searching the Division of Corporation website at http://www.sunbiz.org/search.html
Address1	Last known address of responsible party
Address2	Possible second address of responsible party
City, State, 5 digit ZIP Code 4-digit ZIP Code	City, State and zip code

Primary, Secondary Phone	telephone numbers (<i>include if you have this information</i>)
Employers Name/ Work Phone	place of employment and telephone number (<i>include if you have this information</i>)
Debtor Account Number	Use OGC case number if one is assigned (<i>if no OGC case number use other identifying number such as permit or least number</i>)
Invoice#	
Original Amount Due	Current balance amount owed. If payment schedule is involved, there must be an acceleration clause in executed document in order for entire balance to be due. Contact OGC if you have questions.
Fees, Fines, Penalties	<i>(leave blank)</i>
Total Due to Agency	this field is <u>automatically</u> filled in with amount obtained by totaling amounts in two previous fields
Debt Type	use drop-down menu to select either Court Order (<i>for judgments</i>) Non-Compliance Penalties (<i>for COs and FOs</i>)
Original Date Due	Date outstanding balance amount due. If payment schedule is involved then would be date of first missing payment. Check with OGC if in question
Other Details	<u>Brief</u> summary of debt and any details why unable to collect
Due Diligence	<u>Brief</u> summary of efforts made to collect (letters, phone calls, meetings, etc.)

WRITEOFF REFERRAL TEMPLATE

Reference No. OGC case number

Agency Location
ID; leaving blank

Name of Debtor: Be sure to list only person(s) or entity responsible for payment of debt. Please note when entering this information the person signing on behalf of a corporation, LLC or partnership usually is not liable for payment of debt unless that person signed individually too. This is different from when someone signs as “doing business as”. Responsible party information is usually found in the first paragraph of a document and/or in the paragraphs in the ORDERED section addressing what monies are owed. Contact OGC if you have any questions about who the responsible person or entity for payment of debt is.

Original Due Date
of Receivable: If payment schedule is involved this would be date the first missed payment due.

Amount of Original
Receivable: Amount of the Original Debt

Current Balance: Current balance of original debt owed

Write-off Amount: Amount requesting to be written off

Collection Status: Usually 3 if debt is older than 4 years or, if less than 4 years, when sufficient circumstances exist for requesting write-off.

Other Details: Provide additional information as to why this matter should be sent for write-off. Be specific as possible. Any debt less than 4 years old requires sufficient justification for debt not being sent for collection.

Due Diligence: Brief description of assessment and due diligent efforts taken per DEP 540.