

18 NCAC 05B .0103 PLACE OF FILING, TIME OF FILING, AND METHODS OF DELIVERY

(a) The filing party shall have the responsibility to determine if filing is necessary in the UCC Section. The UCC Section shall not give legal assistance to any individual to determine if filing is necessary.

(b) UCC records may be tendered for filing at the filing office as follows:

- (1) Personal delivery at the filing office's street address: Old Revenue Building, 2 S. Salisbury Street, P.O. Box 29622, Raleigh, NC 27626-0622. Regular business hours: 8:00 a.m. – 5:00 p.m., Monday through Friday. The file time for a UCC record delivered by this method is when delivery of the UCC record is accepted by the filing office even though the UCC record may not yet have been accepted for filing and subsequently may be rejected.
- (2) Courier delivery at the filing office's street address. The file time for a UCC record delivered by this method is, notwithstanding the time of the delivery, at the earlier of the time the UCC record is first examined by a filing officer for processing even though the UCC record may not yet have been accepted for filing and may be subsequently rejected. A UCC record delivered after regular business hours or on a day the filing office is not open for business will have a filing time of the close of business on the next day the filing office is open for business.
- (3) Postal service delivery, to the filing office's mailing address. The file time for a UCC record delivered by this method is the next close of business following the time of delivery even though the UCC record may not yet have been accepted for filing and may be subsequently rejected. A UCC record delivered after regular business hours or on a day the filing office is not open for business shall have a filing time of the close of business on the next day the filing office is open for business.
- (4) Electronic filing: UCC filings, excluding correction statements and filing officer statements, may be transmitted through web site submission, using the current XML standard approved by the International Association of Corporate Administrators. Documentation for the current standard can be obtained at www.sosnc.com/ucc. The file time for a UCC record delivered by this method is the time that the filing office's E-filing system analyzes the relevant transmission and determines that all the required elements of the transmission have been received in a required format and are machine-readable. An E-filing account number shall be assigned to the remitter prior to electronic filings.

(c) UCC search requests shall be delivered to the filing office by any of the means by which UCC records may be delivered to the filing office. Requirements concerning search requests are set forth in Section .0500 of this Subchapter. An Information Request Form shall be used to request a search.

(d) In addition to contacting the Section at the address provided in Subparagraph (c)(1) of this Rule, information may be obtained from the filing office in the following ways:

- (1) On-line information service: The filing officer offers on-line information services at www.sosnc.com/ucc.
- (2) Electronic Mail: For basic information the UCC Section may be contacted by email at uccmail@sosnc.com. Electronic mail shall not be used for filing UCC records or for requesting searches of the records of financing statements.
- (3) Telephone Number: The telephone number of the Section is 919-814-5400.
- (4) Fax Number: The fax number of the Section is 919-814-5597.

*History Note: Authority G.S. 25-9-501; 25-9-523; 25-9-526;
Temporary Adoption Eff. July 2, 2001;
Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014;
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