

18 NCAC 05B .0106 PROCESSING FEES AND METHODS OF PAYMENT

- (a) A list of processing fees required by G.S. 25-9-525 and G.S. 147-37 is available upon request.
- (b) Processing fees for public records services may be paid by the following methods:
- (1) Cash. Payment in cash shall be accepted if paid in person at the filing office.
 - (2) Checks. Personal checks, cashier's checks and money orders made payable to the NC Department of the Secretary of State shall be accepted for payment.
 - (3) Electronic funds transfer. E-filing accounts shall be established through an agreement between the filing office and the remitter. Payments shall be made through an automated contract. The filing officer shall deduct processing fees from the remitter's prepaid account when authorized to do so when the remitter files a UCC record with the remitter's E-filing account number.
 - (4) Prepaid account. A remitter shall open an E-filing account for prepayment of fees by submitting an application prescribed by the filing officer and prepaying an amount not less than five hundred dollars (\$500.00), the balance of which shall not fall below thirty dollars (\$30.00). The filing officer shall issue an E-filing account number to be used by a remitter who chooses to pay processing fees by this method. The filing officer shall deduct processing fees from the remitter's prepaid account when authorized to do so when the remitter files a UCC record with the remitter's E-filing account number.
- (c) The filing office's policies on underpayment of processing fees are as follows:
- (1) Upon receipt of a record without a processing fee, the filing officer shall reject the record.
 - (2) In the case of bulk filings which have 50 or more records, and the remitter presents records to be filed with a deficient processing fee, a notice of the deficiency shall be sent to the remitter and the records shall be held for a period of 10 business days from the date of the notice for receipt of the fee. Upon receipt of the fee, the documents shall be filed as of the time and date of receipt of the full processing fee. If the fee is not received within 10 business days of the date of the notice, the document shall be returned to the remitter with a written explanation for the refusal to accept the document(s). Processing fees shall not be refundable.
 - (3) If the remitter presents a UCC record that contains a filing and a search request on the same form with an insufficient fee, the filing officer shall accept the record presented for filing if the fee is enough to cover the filing and reject the search request if the balance of the fee is insufficient to cover the search.

*History Note: Authority G.S. 25-9-525; 25-9-526; 147-37;
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.*