



Chatham County, NC

Legislation Text

File #: 18-2466, **Version:** 1

Vote on a request to approve a request for a hearing by Attorney Chad Riggsbee for a refund for overpayment of excise tax.

Action Requested: Vote on a request to approve a request by Attorney Chad Riggsbee for a refund for overpayment of tax.

Introduction & Background:

North Carolina General Statute 105-228.37 explains the process to refund overpayment of tax.

(a) Refund Request. - A taxpayer who pays more tax than is due under this Article may request a refund of the overpayment by filing a written request for a refund with the board of county commissioners of the county where the tax was paid. The request must be filed within six months after the date the tax was paid and must explain why the taxpayer believes a refund is due.

(b) Hearing by County. - A board of county commissioners must conduct a hearing on a request for refund. Within 60 days after a timely request for a refund has been filed and at least 10 days before the date set for the hearing, the board must notify the taxpayer in writing of the time and place at which the hearing will be conducted. The date set for the hearing must be within 90 days after the timely request for a hearing was filed or at a later date mutually agreed upon by the taxpayer and the board. The board must make a decision on the requested refund within 90 days after conducting a hearing under this subsection.

Discussion & Analysis: Attached is a copy of the recorded Deed and Closing Disclosure for a real estate closing Mr. Chad Riggsbee completed for 1789 Andrews Store Road, Pittsboro, NC 27312. Unfortunately, at the time of electronically recording the Deed with the County, the Revenue Stamps amount was mistyped as \$1100.00, when the correct amount of revenue stamps was actually \$110.00. The County accepted the Deed, charging \$1100 to Mr. Riggsbee's Debit Card. As you can see from the enclosed Closing Disclosure, the Purchase Price of the property was actually \$55,000.00 - therefore, the correct amount of revenue stamps should have been \$110.00 (not \$1100.00, with the extra zero being typed in by mistake). Given that this was a numerical typographical error, Mr. Riggsbee would like to request, then, a refund for overpayment of tax from the Chatham County Board of Commissioners.

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: \$1,000

Recommendation: Vote on a request to approve a request by Attorney Chad Riggsbee for a refund for overpayment of tax.