# The Process to Wage Garnishment and Bank Levy-DRAFT

## ASSESSMENT / ADJUSTMENT

#### **Notice of Intent to Assess**

20-49 days to next notice

#### **Notice of Assessment or Adjustment**

Taxpayer agrees to assessment/ adjustment. Taxpayer pays tax. 30 days to next notice

**60** days to appeal

If there is disagreement with the assessment or adjustment, the taxpayer may file a written appeal. The 60-day appeal period begins from the date of the mailing of the notice.

#### **Reminder Notice**

60-day appeal period expires.
Tax is fixed.
Taxpayer pays tax and any interest & penalties that have accrued.

40 days to collections bill

**30** days to appeal

30 days remain in the appeal period. If no appeal is filed at the end of the 60-day appeal period, then the tax becomes fixed.

#### If no payment after 60 days . . .

#### COLLECTIONS

#### **First Collections Bill**

Taxpayer pays tax and any interest & penalties that have accrued.

30 days to next bill

#### **Second Collections Bill**

Taxpayer pays tax and any interest & penalties that have accrued.

30 days to pay bill

Taxpayer has 30 days to pay bill. If no payment is received, then the Department begins the process to garnish wages or issue a bank levy.

Wage Garnishment or Bank Levy: Process Begins

#### **APPEAL**

File a Written Appeal

Docketing
Hearing & Decision

Taxpayer loses and must pay tax and any interest & penalties that have accrued <u>OR</u> file an appeal with Superior Court.

Taxpayer wins.

Appeal to Superior Court Hearing & Judgment

Taxpayer loses and must pay tax and any interest & penalties that have accrued OR file an appeal with VT Supreme Court.

Taxpayer wins.

Department loses and may choose to file in VT Supreme Court

Appeal to Vermont Supreme Court
Hearing & Judgment

Taxpayer loses and must pay tax and any interest & penalties that have accrued.

Taxpayer wins.

If taxpayer does not pay, collections action begins.



# The Process to Wage Garnishment and Bank Levy—Part 2

## **Wage Garnishment**

# Notice That Employee May Be Subject to Garnishment

30 days to next notice

#### **Notice of Garnishment**

15 days until garnishment
or appeal
Taxpayer has the right to appeal
1) identity, 2) ) exemptions, or

Garnishment does not occur until after appeal.

3) statute of limitations.

**Wage Garnishment** 

### **Bank Levy**

# Notice That Taxpayer May Be Subject to Attachment



#### **Notice of Attachment**

Funds are on hold for 21 days.

15 days until bank levy
or a appeal

Taxpayer has the right to appeal 1) identity. 2) exemptions, or 3) statute of limitations.

Funds are frozen until after the appeal.

**Bank Levy** 

