



## **Notice of TOP Referral**

Department of Veterans Affairs  
MONTGOMERY AL VARO  
345 PERRY HILL ROAD  
MONTGOMERY, AL 36109

December 02, 2018

JOHN F CXXXXXXXXXX  
350 XXXXXXXXXXXXX ST STE 201  
MONTGOMERY, AL 36104

Dear JOHN F CXXXXXXXXXX:

You owe the Department of Veterans Affairs \$[User, insert curren deb balance.]. We tried to contact you several times to satisfy this delinquent [User, insert typ of deb o reason for debt. debt. This letter tells you about the Treasury's Offset Program (TOP) and other collection procedures, what will happen next, how you can avoid collection fees, and other important information.

### **What is TOP?**

The Treasury Offset Program allows VA to collect debts from other federal government payments. These payments include:

- Income tax refunds,
- Federal salary or federal retired pay,
- Military pay or military retired pay,
- Social Security (but not Supplemental Security Income) in excess of \$750.00,
- Railroad Retirement Board benefits (but not Tier 2 benefits),
- Black Lung Program payments (Part B), and/or
- Other federal payment to individuals.

The Debt Collection Act of 1982 and the Debt Collection Improvement Act are the authority for TOP.

### **What Happens Next**

We will refer your debt to the Treasury for collection action in 60 days. This means the Treasury may collect all refunds and up to 25% of any monthly federal payment due you. Treasury charges a fee for each collection. We will add these fees to your debt. If you aren't currently entitled to any federal payments, the Treasury will refer your debt to a private collection agency.

### **How You Can Avoid Referral To The Treasury**

You can avoid referral and additional fees by settling your debt within 60 days. You can settle the debt in one of the following ways:

- Pay the debt in full.
- Establish a satisfactory payment agreement. Send us [User, include the next phrase regarding a Financial Status Report IF the debtor is an individual but not if the debtor is a business.] your current financial information (VA Form 20-5655) , a written request for a monthly payment plan, and your first payment. We will apply your payment to the debt and notify you if we accept your offer.
- Submit a reasonable compromise offer. Send a written request explaining why we should accept your compromise offer as full settlement of the debt, [User, include the next phrase regarding a Financial Status Report IF the

**debtor is an individual but not if the debtor is a business.]** current financial information (VA Form 5655), and a check or money order. We will tell you if we accept your offer.

- Send us proof of bankruptcy filing and the automatic stay.

Send your payments and documents to:

Department of Veterans Affairs  
ATTN: [User, insert the name of your Agent Cashier or other Finance  
employee who is responsible for collection of this debt]  
345 PERRY HILL ROAD  
MONTGOMERY, AL 36109

### **Other Important Information**

Please read the following important information carefully.

**Records:** You may inspect and copy all our records regarding your debt. If you are unable to come to our office, you may request copies of those records by calling the telephone number below.

**Federal Income Tax Refunds:** You should contact the Internal Revenue Service before filing a joint tax return so they can tell you how to protect your spouse's share of your income tax return.

**Federal Employee:** If you are, or become, a federal employee, TOP will deduct up to 15% of your net pay until the debt, including interest and penalties, is paid in full. Offset will begin in the pay period that we submit your debt to TOP. You have the right to a hearing on the offset amount. If we receive your written request for a hearing within 20 days of the date of this letter, we will delay referral to TOP until we hold the hearing.

It is in your best interest to settle this debt within 60 days. The Treasury will take aggressive collection action once we refer your debt to them.

If you have any questions about your debt or how to prevent this referral, please call us at *[User, insert your office telephone number]*.

Sincerely yours,

Chief, Support Services Division

Enclosure: Financial Status Report (VA Form 5655)

cc: