

High Balance, Business, and Problem Debtors

2025 Client Training

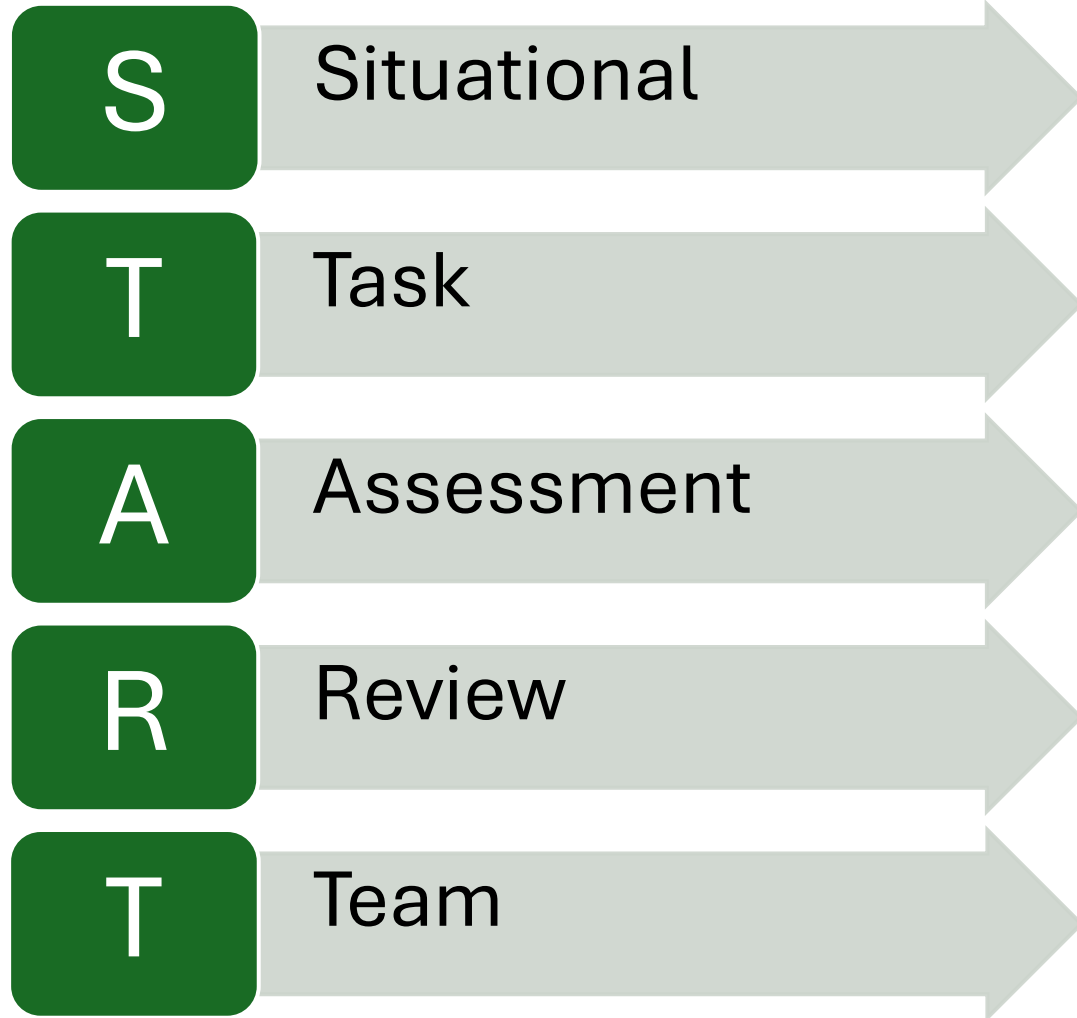
What debtors are we talking about?

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- ▶ High balance debtors
- ▶ Businesses
 - ❑ Personal property
 - ❑ Business license taxes
- ▶ Trust taxes
 - ❑ Meals
 - ❑ Transient Occupancy/Lodging
- ▶ Miscellaneous & problem debtors



START Collections



What Makes Us Different

**Manage daily
accounts by
assigned
localities**

**Allows us to be
familiar with the
accounts,
taxpayers, and
clients**

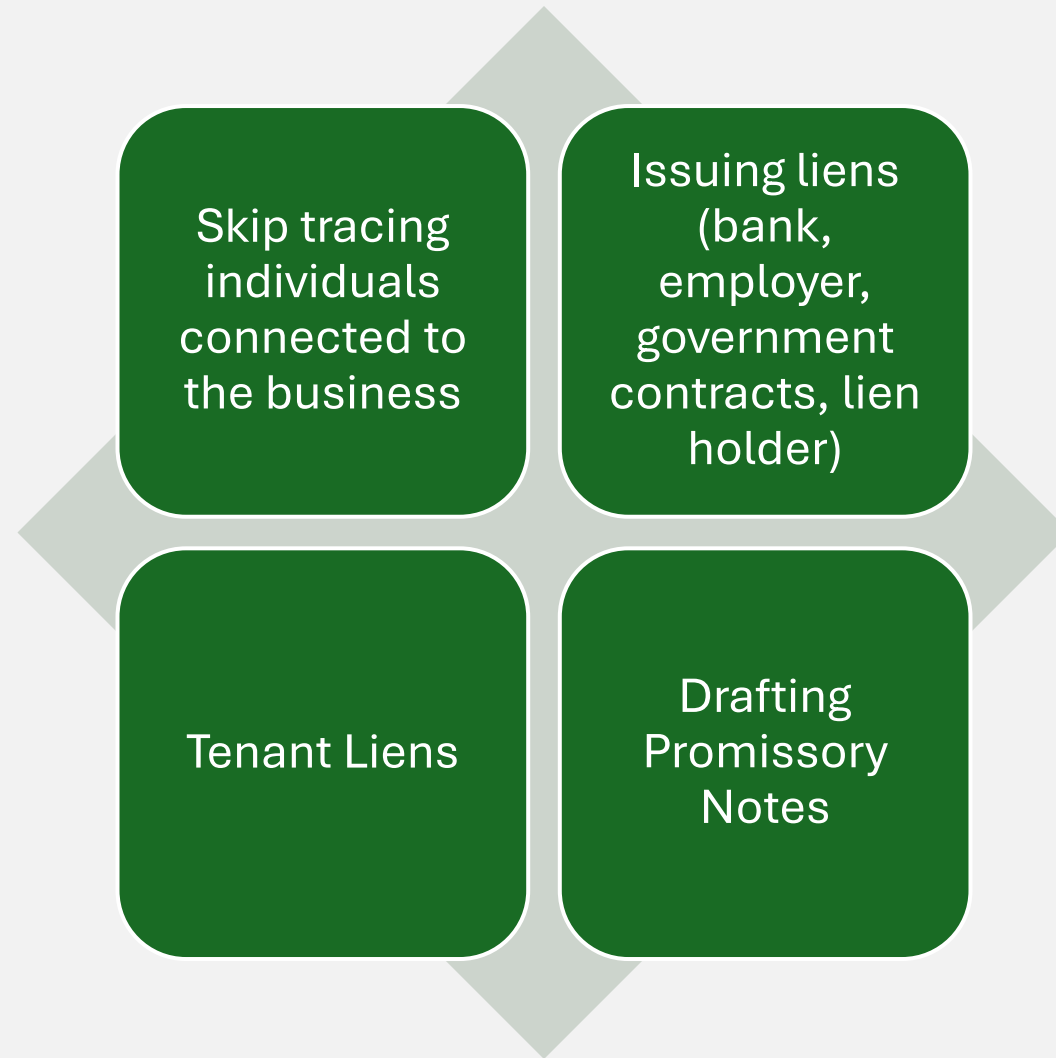
Deep Research

**Build long-term
relationship with
taxpayers**

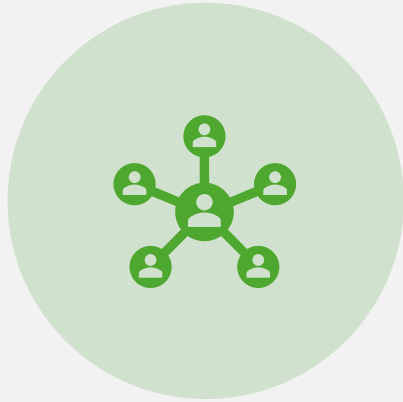
**Attend summons
alongside
attorneys**

**Recommend
accounts for
litigation**

What is Deep Research



Deep Skip Tracing Techniques



Identify and contact business owners, managers, and employees



Use tools such as SCC, GIS, social media, federal pay, CLEAR and DMV access



locate lien sources

DMV Access

- Review vehicle ownership and history
- Identify potential lien sources and lien holders
- Confirm or update taxpayer addresses

LIEN1: STAT DT:10/29/2021 TYPE:SUP
PNC BANK NA
101 NORTHGATE DR STE 102
WAXAHACHIE TX 75165
FILING DATE: 06/01/2021



Virginia Department of Motor Vehicles
P.O Box 27142 Richmond, Va. 23269-0001

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TRANSCRIPT OF OFFICIAL CERTIFIED VEHICLE RECORD AS OF 04/29/2025 16:50:48:1
BY GERALD F. LACKEY, PH.D., COMMISSIONER PAGE: 1

RSN FOR REQ: TAX COLLECTION

REQUESTED FOR:

TAXING AUTHORITY CONSULTING SERVICES PC
PO BOX 31800
HENRICO VA 23294-1800

USER ID: G9611C
LOC: 133

REQUESTED BY:

TAXING AUTHORITY CONSULTING SERVICES PC
PO BOX 31800
HENRICO VA 23294-1800

USE AGREE #: 9611

INFORMATION PROVIDED BY REQUESTOR: 68575328

VEHICLE OWNER(S) - NAME/ADDRESS:

[REDACTED]
[REDACTED]
[REDACTED]

VEHICLE TITLE INFORMATION:

TITLE NO: [REDACTED]	VEHICLE MAKE: KM
TITLE EST DT: 07/31/2015	BODY TYPE: TRL
PURCHASE DT: 07/01/2015	MODEL: 0910038TEPX
VEHICLE YEAR: 2009	VIN: [REDACTED]
EMPTY/GROSS WGT: 4,010/14,000	GVWR/GCWR:
ODOMETER: NA	ODOMETER TYPE:
SALES PRICE: 6,000.00	SALES TAX PD: 246.00
DLR PROC:	PROC TAX:

DISPOSITION:

NCIC CHECKED: NO
OWNERSHIP DOC: VIRGINIA
DEALER: INDIVIDUAL
CURRENT VCO: YELLOW/
ORIGINAL VCO: YELLOW/
PPTR VEHICLE USE:

DISPOSITION DT:

REPLICA ASSEMBLY YEAR: 0000

GARAGE JURIS: MANASSAS

Federal Pay & PPP Loan Data

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- Confirm business operations
- Identify viable lien sources

\$ PPP Loan Information					Loan #
Loan Size:	Jobs Retained:	Loan Approved:	Loan Status:	Lender:	
\$23,900	13	2020-04-16	Paid in Full or Forgiven	The Bank of Southside Virginia	
<p>██████████ LLC in Petersburg, VA received a Paycheck Protection Loan of \$23,900 through The Bank of Southside Virginia, which was approved in April, 2020.</p> <p>This loan's status is reported by the SBA as "Paid in Full", which includes both loans repaid and those fully forgiven from repayment under PPP guidelines. The loan's status was last updated by the SBA in March, 2021.</p>					
<p>A Check payment of \$17,545.64 posted to 5 accounts (20-16389-14160-15, 21-16389-14387-14, 20-16389-14246-7, 21-16389-14326-14, 20-16389-14068-8) Post date: 1/19/2022 Document number: ██████████ Payment Source: Bank of Southside Virginia</p>					

Tenant Liens

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Tenants have 21 days to respond

Multiple liens can be issued simultaneously

Great motivational trigger

tacs

Taxing Authority Consulting Services, P.C.
Attorneys At Law

P.O. Box 31800 • Henrico • Virginia • 23294-1800
(804) 545-2500 • Fax (804) 612-0284 • liens@taxva.com

October 31, 2023

[REDACTED]

Jurisdiction: Fairfax County DTA

Amount Due: \$80,398.87; TACS # 820128

RE: Lien Issued Against Rent Paid To: ~~XXXXXX~~

Dear Tenant:

Pursuant to § 58.1-3952 of the Code of Virginia, this office has placed a lien for delinquent taxes or other charges against the rent that you pay monthly. You are to forward a check for your monthly rent, up to a maximum of the amount listed above to this office when your monthly rent is next due.

If the amount of rent you pay is less than the amount due shown above, you must pay the full amount of your rent to our office and continue to do so until the amount due is paid in full. If your rental payment is greater than the amount due, you must forward the amount due shown above to this office, and send the balance of your monthly payment to the landlord with a copy of this letter. Under Virginia law, the amount you send to this office is a credit against your rent payment.

Please indicate in the spaces below, your current monthly rent payment, and the amount you are forwarding to this office. Please return a signed copy of the attached certification with your check made payable to Fairfax County DTA.

Compliance with this lien will not affect your credit rating and is not a judgment against you. If you have any questions, or have no obligation to the landlord at this time, please call our office at (804) 545-2500, between the hours of 8:30 a.m. and 5:30 p.m., Monday through Friday or e-mail us at liens@taxva.com

Respectfully,

Taxing Authority Consulting Services, P.C.

CERTIFICATION

I, _____ (print your name/firm's name), hereby certify that my current monthly rent is \$ _____. I have enclosed a check in the amount of \$ _____. Because of the lien served on me, I understand that my payment counts toward my obligation to my landlord for this month.

Promissory Notes

- Signed legal document
- Includes a Confession of Judgement clause
- Establishes personal liability
- Protects the debt beyond the Statute of Limitations

PROMISSORY NOTE AND CONFESSED JUDGMENT

IMPORTANT NOTICE: THIS INSTRUMENT CONTAINS A CONFESSION OF JUDGMENT PROVISION WHICH CONSTITUTES A WAIVER OF IMPORTANT RIGHTS YOU MAY HAVE AS A DEBTOR AND ALLOWS THE CREDITOR TO OBTAIN A JUDGMENT AGAINST YOU WITHOUT ANY FURTHER NOTICE.

FOR VALUE AND CONSIDERATION RECEIVED, the receipt and sufficiency of which is hereby acknowledged, [REDACTED] (a Virginia business) and [REDACTED] as Responsible Officer of [REDACTED] INC and in her individual capacity (together, "Debtors"), concede that certain taxes regarding TACS Account Number 979178 are due and payable to the, City of Norfolk Treasurer Virginia, and hereby promise to pay to the order of the City of Norfolk Treasurer the sum of \$87,077.17 (as of 01/13/2025) plus any additional accrued interest at the rate set by Ordinance until the balance is paid in full. Debtors acknowledge that said amount constitutes taxes, penalties, interest, and attorney's fees pursuant to Va. Code Ann. § 58.1-3958 (the "Tax Debt"). Note that through an audited review of business records, the locality may reduce or otherwise modify this amount.

The Tax Debt shall be due and payable according to the Payment Schedule attached hereto.

It is understood that if the amount of the Tax Debt referenced above is in dispute, that Debtors will present the City of Norfolk Treasurer with all documentation necessary to modify the Tax Debt. If any modification occurs as the result of Debtors' dispute, this Note will remain in full force and effect until a modified Note may be drafted reflecting the updated Tax Debt and any adjustments to the repayment terms, if necessary and appropriate. Upon execution of the modified Note, this Note will become void, and the original of this Note will be returned to Debtor.

All payments remitted hereunder shall be mailed to **TAXING AUTHORITY CONSULTING SERVICES, PC (TACS), P.O. BOX 31800 HENRICO, VIRGINIA, 23294-1800**, or such other place as the holder of this Note may designate in writing to Responsible Officer. Payments may also be made online at www.taxva.com or over the phone at 866-305-0727. All payments shall reference TACS# 979178.

In the event of default hereunder, the entire balance of this Note will become due and payable at the discretion of the holder of this Note. **IF DEBTORS DEFAULT ON PAYMENTS, DEBTORS MUST PAY THE ENTIRE BALANCE IN FULL AND DEBTORS MAY NOT ENTER INTO ANY FURTHER PAYMENT AGREEMENT.** Further, this Note does not waive any other collection remedies afforded the holder including, but not limited to debt setoff collection or the Comptroller Vendor Debt Setoff Program. **Debtors agree to pay future tax assessments on time as such taxes are due. Failure to pay any future tax assessment when due will be considered an event of default under this Note.** Application of the payments to the taxes due is at the sole discretion of the City of Norfolk Treasurer and subject to applicable law.

Miscellaneous Non-Tax Debt



Includes training reimbursements, police security fees, etc.

Anything you collect on



Review these accounts monthly



Handled with the same enforcement tools as tax debt

What if collections doesn't work....

- ▶ In-person actions
 - ❑ START Summons
 - ❑ Distress
 - ❑ Site visits

- ▶ Lawsuits



Summons

START Summons – different than normal

We like it because:

- New Action
- Sheriff Service
- Creates a dialogue

You're invited, but not required, to attend

Distress

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- ▶ “Distress” means seizing property



- ▶ Not all distress/seizures are created equal
 - ❑ Purpose 1: take possession of property and sell it, pocket the money
 - ❑ Purpose 2: get Taxpayer’s attention – Action/Reaction

Selling Distressed Property

- ▶ You all do this all the time: Real Estate tax sales
 - ▶ A lot of work



Distress for Action / Reaction

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- For START debts, distress is mostly about getting a reaction and starting a dialogue



Suing People



General District Court

Big dockets

Primary Goal is action/reaction, secondary goal is to use judgment to collect



Circuit Court

Individual suits

Slower, higher burden of evidence

Twofold purpose:

- Stir the debtor to action – IT WORKS!
- Use the Judgment to collect

Who Gets Sued?



Circuit Court Procedure

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► Pre-Litigation

- ❑ Summons
- ❑ Intent to sue letter

► In Court

- ❑ Service of Process
- ❑ PPLs/PMN Negotiation
- ❑ If necessary...
 - ❑ Discovery
 - ❑ Trial

tacs

Taxing Authority Consulting Services, P.C.
Attorneys At Law

Seth R. Konopasek, Esq.
Phone: (866) 305-0727
Fax: (804) 545-2342
Email: skonopasek@taxva.com

May 2, 2025

[REDACTED]
TYSONS CORNER, VA 22182

Re: [REDACTED]
Delinquent Fairfax County Personal Property Taxes
Notice of Intent to Sue
TACS # 966286

Mr./Mrs. Heisler:

This firm has been retained by the Fairfax County Treasurer to collect certain delinquent property taxes owed by the above-referenced entity. We have reason to believe that you had actual notice of the tax assessment and received distributions from the tax-delinquent entity despite the assessment.

Therefore, please take notice that unless appropriate payment arrangements are made within 14 days of the date of this correspondence, we intend to file suit against you, in your individual capacity imposing responsible officer assessment pursuant to Code of Virginia §§ 58.1-6 and 7. Please govern yourself accordingly.

Please disregard this notice if you are now a debtor in a pending bankruptcy. If you are in bankruptcy, please furnish to my office, in writing, the number of the bankruptcy case and the identification of the Court in which it is pending so as to enable us to code the account and avoid further correspondence to you.

You may make payments at www.taxva.com or by calling 866-305-0727. Please include the above TACS number for reference.

Sincerely,

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ALBEMARLE

**COUNTY OF ALBEMARLE,
a Political Subdivision of
the Commonwealth of Virginia,**

Complainant

v.

Defendants.

Case No.: CL24001916-00

ORDER FOR DEFAULT JUDGMENT

CAME THIS DAY, the County of Albemarle Virginia, Complainant, by Counsel, and filed its Motion for Default Judgment; and

UPON CONSIDERATON WHEREOF, it appearing to this Court that the Complaint was filed in this case on December 19, 2024; that the Defendants were properly served; that more than twenty-one days has elapsed since the Defendants were served; that Nathaniel Trucking, et al failed to file responsive pleadings; that Nathaniel Thompson failed to file responsive pleadings; that proper notice has been given to the Defendants and Complainant is entitled to Default Judgment pursuant to Rule 3:19 of the Rules of the Supreme Court of Virginia.

NOW THEREFORE it appears to this Court that an Order for Default Judgment against Nathaniel Trucking, et al and Nathaniel Thompson is proper in this matter, it is:

ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of County of Albemarle and again [REDACTED] in the amount of \$23,509.07 at the interest rate of 6% from 5th of June 2025 until paid, plus attorney

fees in the amount of \$4,702.94 pursuant to Virginia Code §58.1-3958. The Clerk of this Court is hereby directed to mail a copy of this executed order to the Defendants herein, forward an attested copy to counsel listed below, and docket this judgment in the name of [REDACTED] among the land records of the Circuit Court Clerk's Office of the County of Albemarle, Virginia, and this cause is hereby STRICKEN from the Court's docket.

ENTERED on this the ____ day of _____, 2025

Judge

I ASK FOR THIS:

Seth R. Konopasek, Esq. (VSB No. 97065)
John A. Rife, Esq. (VSB No. 45805)
Jeffrey A. Scharf, Esq. (VSB No. 30591)
Mark K. Ames, Esq. (VSB No. 27409)
Andrew M. Neville, Esq. (VSB No. 86372)
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Robert Coulter, Esq. (VSB No. 42512)
Taxing Authority Consulting Services, PC
P.O. Box 31800
Henrico, Virginia 23294-1800
Phone: (804) 223-8448
Facsimile: (804) 545-2342
skonopasek@taxva.com

What do we win?

► TO COLLECT!!

- ❑ Action/Reaction
- ❑ Collect with Judgment



► Personal Liability on Responsible Officers

- ❑ Trust Taxes 58.1-3906
- ❑ Distributions for everything else 58.1-7



- Lien
- Foreclosure



Old business vehicles



- **Responsible officers**

- **Judgment:** Plaintiff
- **Final Order Date:** 03/06/18

9/3/2024 3:38:52 PM

KAdams2

PN

[illegible]

Tips & Tricks

Sometimes, YOU know who the good fits are – tell us!

Timely turnover

- Trust taxes
- Businesses

Tag-alongs

Flagging your system

- SOL years
- Especially once in litigation....no payments or communication



TAXING AUTHORITY
CONSULTING SERVICES, P.C.

Questions?

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