

# Publication 5107

## The IRS Collection Process Your Rights & Responsibilities



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## **What should I do if the IRS is trying to collect a tax debt from me?**

**The worst thing you can do is nothing at all.**

If you do not pay or make other arrangements with the IRS, the IRS may take action to collect the money. No matter what, you should still file future tax returns on time and pay as much as you can to reduce penalties and interest.

## **What if I can't pay in full?**

- You may qualify to pay in monthly installments.
- You also may qualify for an offer in compromise, where the IRS agrees to accept less than the full amount you owe, as long as you comply with your other tax obligations.

The IRS charges most taxpayers a fee for setting up an installment agreement or requesting an offer in compromise, and interest and penalties still accumulate while you're making payments.

## **What if I can't pay at all?**

If the IRS agrees that you can't pay, it may suspend collection action and classify your account as currently not collectible.

Call the IRS at the number on the letter the IRS sent you or at 1-800-829-3903. You'll

need to give the IRS complete financial information, so before you call, make a list of your monthly expenses and income, and be prepared to discuss them. Be sure to consider:



medical



transportation



housing



other  
expenses



extraordinary  
circumstances

Even if the IRS says your account is currently not collectible, this does not mean the debt goes away. Penalties and interest will still accumulate, and the IRS can collect from you later if your financial situation improves.

## **What if I don't pay voluntarily?**

If you don't pay your tax bill or contact the IRS to arrange payments, the IRS may take action to collect what you owe.

This can include:

- *Filing a Notice of Federal Tax Lien (NFTL)* – An NFTL is a claim against your property that gives public notice to creditors and may harm your credit rating.
- *Levying or taking your assets* – The IRS can take the amount you owe from your wages, bank accounts, Social Security benefits, retirement, or other sources of income. The IRS can also take your car, home, or other property.
- *Applying your tax refunds* – The IRS may apply your federal or state tax refunds to pay down the debt you owe.

## **What if I disagree with IRS collection actions?**

Depending on where you are in the collection process, you may be able to appeal the IRS's

actions through Collection Due Process or the Collection Appeals Program. For more information:



See Publication 1660, *Collection Appeal Rights*, at [www.irs.gov/pub/irs-pdf/p1660.pdf](http://www.irs.gov/pub/irs-pdf/p1660.pdf); or



Call 1-800-829-3676.

## **When should I seek help from the Taxpayer Advocate Service?**

Before seeking help from the Taxpayer Advocate Service (TAS), you or your representative should first try to resolve your problem by working directly with the IRS.

If you're having financial difficulties or the IRS is unresponsive, taking too long to resolve your problem, or is threatening action



that will harm you or your family, TAS may be able to help. You can contact TAS by calling our toll-free number at 1-877-777-4778.

## **Can anyone else help me?**

Depending on your income, you may be eligible for help from a

Low Income Taxpayer Clinic (LITC). These clinics are independent from the IRS. Some provide professional representation before the IRS or in court on collection disputes and other issues for free or for a small fee.

To get more information or find a clinic near you, visit [www.irs.gov/litc](http://www.irs.gov/litc) or IRS Publication 4134, Low Income Taxpayer Clinic List. You can get this publication at [www.irs.gov](http://www.irs.gov), at your local IRS office, or by calling 1-800-829-3676.

# **Where can I get more information?**

For more information on the programs and options in this brochure, visit [www.TaxpayerAdvocate.irs.gov](http://www.TaxpayerAdvocate.irs.gov) for videos, publications, and other resources.