

# Agency Documentation for Self-Exempting Accounts

This form is suggested documentation for agencies to keep on hand for audit purposes. This form is not for submission to DAS.

Date: \_\_\_\_\_

Account ID: \_\_\_\_\_ (ie. Invoice number, assessment #, debtor ID, etc.)

Debtor Name: \_\_\_\_\_

Account balance \$: \_\_\_\_\_

OAM 35.40.10 criteria for exempting this account from assignment to DOR and/or a PCF (check all that apply):

- Is secured by a consensual security interest in real or personal property
- Is a court judgment that includes restitution or a payment to the Department of Justice Crime Victims Assistance Section
- Is in litigation, including bankruptcy, arbitration or mediation
- Is a student loan owed by a student who is attending school
- Is owed to a state agency by a local or state government or by the federal government.
- Is owed by a debtor who is hospitalized in a state hospital as defined in **ORS 162.135**, or who is on public assistance as defined in **ORS 411.010** or who receives medical assistance as defined in **ORS 414.025**
- Is owed by a debtor who is imprisoned
- Is less than \$100 including penalties
- Would, if assigned, result in a loss of federal funding or a loss of funding under a federal program
- Is owed by an estate and the state agency has received notice that the estate has closed
- Is eligible for suspension of collections as provided in **ORS 305.155**
- Would constitute a hardship if assigned, and assignment would be inconsistent with an agency goal
- Is secured by a non-consensual lien against specific real or personal property identified by the agency
- Is secured by a bond
- Is one of multiple accounts owed to the agency by the same debtor, any one of which has received a payment within the preceding 90-day period, including accounts created and paid at the same time
- Is within the scope of an agency specific exemption approved under paragraph 118 of [OAM 35.40.10](#)

- Would result in the referral of a monetary penalty, fee, or tax under **ORS Chapters 825 or 826** related to a motor carrier operating authority unless the closing audit of the motor carrier operating authority is final
- Arises when a wage garnishment has been served on the debtor's employer and no funds are available to the agency because a wage garnishment or order to withhold earnings of higher priority currently prevents any funds from being applied to the agency debt
- Arises from an administrative or judicial support order, judgment, or decree
- Is owed by a corporation that is not and, for the foreseeable future, will not be engaged in any income-producing activity, and there are no assets from which the debt could be collected

Comments/Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Exemption Status Change**

**Date exemption no longer applies:** \_\_\_\_\_

Comments/Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Date account was assigned for collection:** \_\_\_\_\_

Agency Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_