**North Carolina**

1. **Is penalty abatement available?**
	1. Yes
2. **What is the statute/law that authorizes the state to abate penalties.**
	1. [Statute 105-237](Statute%20105-237%20Waiver%20installment%20payments.rtf) Waiver; Installment Payments
3. **What is the statute/law/guidance (internal memorandum to employees reviewing PA requests) that outlines what justifies relief?**
	1. [Statute 105-237](Statute%20105-237%20Waiver%20installment%20payments.rtf) Waiver; Installment Payments
	2. [Waiver Policy](Policy%20waiverpolicy.pdf) (and reasonable cause)
4. **Is there a specific form that must be filed to request abatement, or does the taxpayer just submit written statement. What needs to be included in the statement if the state does not have a form?**
	1. A taxpayer may request a waiver of penalties in any of the following three ways:
		1. Submitting [Form NC-5500](Form%20NC5500%20Request%20to%20Waive%20Penalties.pdf), Request to Waive Penalties
			1. Form NC-5500: This form, Request to Waive Penalties, has been developed for use in administering penalty waiver requests. The form is available by calling our toll-free taxpayer assistance line at 1-877-252-3052 and selecting the menu option for Forms, from any Department of Revenue field office or by accessing the Department's website at http://www.dornc.com/downloads/NC5500.pdf. A taxpayer who completes Form NC- 5500 must sign the form before it can be processed.
		2. Writing a letter
			1. Letter: A taxpayer may write a letter instead of completing Form NC-5500; however, the letter must contain the same information that is requested on Form NC-5500. The Department can process a request submitted on Form NC-5500 faster than it can process the same request submitted in a letter.
		3. Calling the Department, in limited circumstances
			1. Phone Call: When the request is based on the reason of good compliance record, a request to waive a penalty can be made by telephone.
5. **Where and how are the requests submitted?  Can they be made orally over the phone through an authorized POA? Must the submissions be mailed, or can they be faxed?**
	1. POA [Form Gen58](Form%20Gen58_webfill%20Power%20of%20Attorney.pdf)
	2. MAIL TO:
		1. North Carolina Department of Revenue

Customer Service

P.O. Box 1168

Raleigh, NC 27602-1168

* 1. Phone: 1-877-252-3052