

**Part 143 and Part 144 of Title 19 of the NYCRR is hereby repealed and a new Part 143 is added to read as follows:**

**Part 143  
Standard Forms and Procedures**

Subpart

143-1	General Provisions
143-2	Filing and Indexing
143-3	Reserved
143-4	Search Requests
143-5	Fees

**Subpart 143-1  
General Provisions**

**§ 143-1.1 File number.**

(a) “File Number” means the unique identifying information assigned to an initial financing statement by the filing officer for the purpose of identifying the financing statement and UCC records relating to the financing statement in the filing officer’s information management system. The filing number bears no relation to the time of filing and is not an indicator of priority.

(b) For initial financing statements filed in the office of the Secretary of State, the “file number” shall consist of (1) the date of filing of the initial financing statement and (2) the six digit number assigned to the initial financing statement by the filing office.

**§ 143-1.2 UCC record delivery, file date and time stamp.**

(a) Personal Delivery or Courier Delivery. The file time for a UCC record delivered by this method is when delivery of the UCC record is time stamped by the filing office (even though the UCC record may not yet have been accepted for filing and subsequently may be rejected).

(b) Postal Service Delivery. The file time for a UCC record delivered by this method is when delivery of the UCC record is presented to the Uniform Commercial Code Unit (even though the UCC record may not yet have been accepted for filing and subsequently may be rejected).

(c) The Department of State will accept only written records. The Department of State will accept records only if communicated by a method described in Section 143-1.2 (a) or (b). Records will be accepted only during the regular business hours of the Department of State's Uniform Commercial Code unit.

(d) Filing offices other than the Department of State shall accept written records, shall accept records communicated by a method described in Section 143-1.2 (a) or (b), and shall accept records during the regular business hours of such filing office's Uniform Commercial Code unit. In addition, any filing office other than the Department of State may, by rule adopted by such filing office, authorize communication of records to such filing office in any additional medium, by any additional method or medium of communication, or during any additional hours.

### **§ 143-1.3 Approved forms .**

(a) Pursuant to Section 9-521 of the Uniform Commercial Code, the Department of State hereby promulgates the following forms, copies of which are as set forth in Appendix 1 of this Title 19:

- |                                   |  |
|-----------------------------------|--|
| (1) Financing Statement:          | UCC Financing Statement (National UCC Financing Statement Form UCC1, Rev. 7/29/98).  |
| (2) Financing Statement Addendum: | UCC Financing Statement Addendum (National UCC Financing Statement Addendum Form UCC1Ad, Rev. 7/29/98)                         |
| (3) Amendment:                    | UCC Financing Statement Amendment (National UCC Financing Statement Amendment Form UCC3, Rev. 7/29/98)                         |
| (4) Amendment Addendum:           | UCC Financing Statement Amendment Addendum (National UCC Financing Statement Amendment Addendum Form UCC3Ad, Rev. 7/29/98)     |
| (5) Cooperative Addendum:         | UCC Financing Statement Cooperative Addendum (New York UCC Financing Statement Cooperative Addendum Form UCC1CA, Rev. 6/14/01) |

(6) Correction Statement: UCC Financing Statement Correction Statement  
(National UCC Financing Statement Correction  
Statement Form UCC5, Rev. 5/01/01)

(7) Information Request: Information Request (National Information  
Request Form UCC11, Rev. 5/09/01)

(b) National UCC Financing Statement Amendment Form UCC3 can be filed as a termination, a continuation, an assignment, or an amendment (including but not limited to an amendment that releases or deletes collateral); provided, however, that only one action may be accomplished on a single filing.

## **Subpart 143-2 Filing and Indexing**

### **§ 143-2.1 Names of debtors who are individuals.**

(a) Individual name fields. The names of individuals are stored in files that include only the names of individuals, and not the names of organizations. Separate data entry fields are established for first (given), middle (given), and last names (surnames or family names) of individuals, and for any suffix. A filer should place the name of an individual debtor with a single name (e.g., "Cher") in the field designated for the last name. The filing officer assumes no responsibility for the accurate designation of the components of a name but will enter the data in accordance with the filer's designations.

(b) Titles and prefixes before names. Titles and prefixes, such as "doctor," "reverend", "Mr.," and "Ms.," should not be provided by filers in UCC records. However, when a UCC document is submitted with designated name fields, the data will be entered in the UCC information management system exactly as it appears.

(c) Titles and suffixes after names. Titles or indications of status such as "M.D." and "esquire" are not part of an individual's name and should not be provided by filers in UCC records. Suffixes that indicate which individual is being named, such as "senior," "junior", "I", "II", and "III", are appropriate. In either case, they will be entered into the information management system exactly as received.

(d) Truncation - individual names. Personal name fields in the UCC database are fixed in length. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field. The lengths of data entry fields in the office of the Secretary of State are as follows:

first name: 60 characters;  
middle name: 30 characters;  
last name: 100 characters;  
suffix: 10 characters.

(e) The filing officer assumes no responsibility for the correct spelling of a name but will enter the data in accordance with the filer's spellings.

### **§ 143-2.2 Names of debtors that are organizations .**

(a) Organization name field. The names of organizations are stored in files that include only the names of organizations, and not the names of individuals. A single field is used to store an organization name.

(b) Truncation - organization names. The organization name field in the UCC database is fixed in length. The length of the data entry field in the office of the Secretary of State is 200 characters. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field.

(c) Entry of Names. The name of a debtor that is an organization will be entered in the UCC information management system exactly as it appears on the record to be filed. For example, if a financing statement shows the debtor's name as "XYZ, Inc., a New York corporation", the debtor name entered in the UCC information management system will be "XYZ, Inc., a New York corporation", and not "XYZ, Inc." Note that providing the debtor's name as "XYZ, Inc., a New York corporation" may not comply with the requirements of Section 9-503 of the Uniform Commercial Code, and the entry of the debtor's name in the UCC information management system as "XYZ, Inc., a New York corporation" may result in the record not being found by subsequent searchers using the filing office's standard search logic.

(d) Trade names. A financing statement that provides only the debtor's trade name (i.e., an assumed name, "a/k/a" name, "d/b/a" name, "trading as" or "t/a" name, etc.) does not sufficiently provide the name of the debtor. The debtor's legal name must always be provided. If a filer wishes to show a debtor's trade name, (i) the filer should provide both the debtor's legal name and the debtor's trade name, and (ii) the legal name and trade name should be provided as two separate debtor names (e.g., provide the debtor's legal name as the debtor name in line 1a of the National UCC1 form and provide the debtor's trade name as an additional debtor's name in line 2a of the National UCC1 form), and (iii) all required information (i.e., debtor's mailing address, designation of the debtor as an organization, designation of the type of organization, and designation of the jurisdiction of organization) must be given for both the debtor's legal name and the debtor's trade name. For example, in the case of a debtor with the legal name of "XYZ, Inc." and the trade name of "ABC Co.":

(i) If the filer wishes the record to reflect the debtor's trade name, the filer should provide the debtor's legal name ("XYZ, Inc.") as the first debtor (line 1a of the National UCC1 form), and the filer should provide the debtor's trade name ("ABC Co.") as an additional debtor (line 2a of the National UCC1 form). The filer should also provide, for each name, the address, the type of organization (e.g., corporation), and the jurisdiction of organization. The record will then be entered in the UCC information management system under two debtor names: "XYZ, Inc." and "ABC Co."

(ii) If the financing statement shows the debtor's name as "XYZ, Inc., d/b/a ABC Co.", the debtor name entered in the UCC information management system will be "XYZ, Inc., d/b/a ABC Co.", and not "XYZ, Inc." (see "Entry of Names" in paragraph c above). Note that providing the debtor's name as "XYZ, Inc., d/b/a ABC Co." may not comply with the requirements of Section 9-503 of the Uniform Commercial Code, and the entry of the debtor's name in the UCC information management system as "XYZ, Inc., d/b/a ABC Co." may result in the record not being found by subsequent searchers using the filing office's standard search logic to search against the debtor's legal name ("XYZ, Inc.").

(iii) If the financing statement shows the debtor's name as "ABC Co.", the debtor name entered in the UCC information management system will be "ABC Co." (see "Entry of Names" in paragraph c above). Note that a financing statement that provides only the debtor's trade name does not sufficiently provide the name of the debtor, and the entry of the debtor's name in the UCC information management system as "ABC Co." may result in the record not being found by subsequent searchers using the filing office's standard search logic to search against the debtor's legal name ("XYZ, Inc.").

(e) The filing office assumes no responsibility for determining whether the debtor's name complies with the requirements of Section 9-503 of the Uniform Commercial Code. The filing officer assumes no responsibility for the correct spelling of a name but will enter the data in accordance with the filer's spellings. Pursuant to Section 9-506(b) of the Uniform Commercial Code, a financing statement that fails sufficiently to provide the name of the debtor in accordance with Section 9-503(a) of the Uniform Commercial Code may be seriously misleading and therefore ineffective.

### **§ 143-2.3 Estates.**

Estates are treated as if the decedent were the debtor. If the debtor is a decedent's estate, the financing statement should provide the name of the decedent and indicate that the debtor is an estate.

### **§ 143-2.4 Trusts.**

If the trust is named in its organic documents(s), its full legal name, as set forth in such document, is used. Such trusts are treated as organizations. If the trust is not so named, the name of the settlor is used. If a settlor is indicated to be an organization, the name is treated as an organization name. If the settlor is an individual, the name is treated as an individual name. A UCC document that uses a settlor's name should include other information provided by the filer to distinguish the debtor trust from other trusts having the same settlor and all financing statements filed against trusts or trustees acting with respect to property held in trust should indicate the nature of the debtor. If this is done in, or as part of, the name of the debtor, it will be entered as part of the name.

### **§ 143-2.5 Errors of the filing office.**

The filing office may correct the errors of filing office personnel in the UCC information management system at any time. If the correction occurs after the filing officer has issued a certification date, the filing officer shall file a “filing officer statement” in the UCC information management system identifying the record to which it relates, the date of the correction and explaining the nature of the corrective action taken. The statement shall be preserved as long as the record of the initial financing statement is preserved in the UCC information management system.

### **§ 143-2.6 Refusal errors.**

(a) If a secured party or a remitter demonstrates to the satisfaction of the filing officer that a UCC record that was refused for filing should have been filed, the filing officer will file the UCC record. The filing officer shall also file a “notice” that states the effective date and time of filing, which shall be the date and time the UCC record was originally tendered for filing and was acceptable, in accordance with 9-516 of the Uniform Commercial Code.

(b) (1) Requests for review of a rejected document must be presented to filing officer, in writing, within 45 days of the date on the filing office’s rejection notice, and;

(2) the documents for review must include: the original rejected UCC filing; the filing officer’s rejection notice; a statement by secured party or remitter explaining why they believed that the UCC record was wrongfully rejected.

### **§ 143-2.7 Inability to read or decipher information.**

(a) For the purposes of Section 9-516(c)(1) of the Uniform Commercial Code, a filing office shall be considered to be unable to read or decipher information in a record if:

(1) the information in a written record is so faint, illegible, or otherwise unintelligible as to be unable to be read, copied or otherwise processed by the filing office’s equipment, or

(2) if the filing office authorizes electronic transmission of records, and if the information in an electronically transmitted record is not in a format that can be read, copied or otherwise processed by the filing office’s equipment, or, for any other reason, cannot be read, copied or otherwise processed by the filing office’s equipment, or

(3) the record contains confusing, conflicting or contradictory matter that gives rise to uncertainty, ambiguity, or lack of clarity as to information in the record. Examples of such uncertainty, ambiguity, or lack of clarity include, but are not limited to, the following:

(i) If it appears to the filing office that a debtor named in a record is the same person as a secured party, the filing office shall be considered to be unable to decipher, and the record shall be considered not to provide, the name of the debtor or the name of the secured party.

(ii) If it appears to the filing office that one portion of a record contains matter that indicates that a debtor is an organization (for example, if the debtor's name is entered on line "1a" or line "2a" of the National UCC Financing Statement Form UCC1 or on line "11a" of the National UCC Financing Statement Addendum Form UCC1Ad) and another portion of the record contains matter that indicates that such debtor is an individual, the filing office shall be considered to be unable to decipher, and the record shall be considered not to provide, the name of such debtor or an indication whether the debtor is an individual or an organization.

(iii) If all or any part of an address in a record is qualified by words or phrases such as "near", "about", "approximately", "on or about", or the like, or if all or any part of an address in a record is contained in parenthesis, brackets, quotation marks, or the like, in a context that gives rise to uncertainty, ambiguity, or lack of clarity with respect to such address, the filing office shall be considered to be unable to decipher, and the record shall be considered not to provide, such address.

(b) Nothing in this section shall be construed as imposing any obligation upon the filing office to determine whether a record contains confusing, conflicting or contradictory matter, or otherwise to review the content of any record. The filing and indexing of a record by a filing office shall not be deemed to be a finding by the filing office that the record does not contain confusing, conflicting or contradictory matter.

**Subpart 143-3  
(Reserved)**

**Subpart 143-4  
Search Requests**

**Section 143-4.1 - General requirements.**

The filing office maintains a searchable index for all records of UCC documents. The index provides for the retrieval of a record by the name of the debtor and by the file number of the initial financing statement to which the record relates, and associates with one another each initial financing statement and each filed UCC document relating to the initial financing statement.

### **Section 143-4.2 - Search requests.**

- (a) Search requests shall contain the following information:
  - (1) A search request must set forth the name of the debtor to be searched and must specify whether the debtor is an individual or an organization. A search request will be processed using the exact name of the debtor as submitted (as modified by the filing office's application of the rules set forth in paragraph (a) of Section 143-4.3) and only in the category (individual or organization) submitted.
  - (2) A search request must set forth the name and address of the person to whom the search report is to be sent.
- (b) A search request shall be accompanied by the appropriate fee, payable by a method authorized by the filing office.
- (c) Search requests shall be in writing, and shall be communicated to the filing office only by a method authorized by Section 143-1.2. No search request may contain more than one name to be searched (provided, however, that a search request that is made by checking the box in item 7 of the financing statement form promulgated under Section 143.1(a)(1) may request a search against any one or more of the debtors named in such financing statement).

### **Section 143-4.3 - Rules applied to search requests.**

- (a) Search results are produced by the application of standardized search logic to the name presented to the filing office. Human judgement does not play a role in determining the results of the search. The following rules apply to searches.
  - (1) There is no limit to the number of matches that may be returned in response to the search criteria.
  - (2) No distinction is made between upper and lower case letters.
  - (3) Punctuation marks and accents are disregarded.
  - (4) (i) Words and abbreviations at the end of a name, or anywhere within a name, that indicate the existence or nature of an organization are disregarded. Such words and abbreviations include the following:



Incorporated  
Inc.  
Corporation  
Corp.  
Limited  
Ltd.  
Professional Corporation  
PC  
Limited Partnership  
LP  
Ltd. Partnership  
Limited Liability Company  
LLC  
Professional Limited Liability Company  
PLLC  
Registered Limited Liability Partnership  
RLLP  
PLL  
Limited Liability Partnership  
LLP

- (ii) The following abbreviations, if located at the end of the name, indicate the existence or nature of an organization and will be disregarded:

P C (or P.C.)  
L P (or L.P.)  
L L C (or L.L.C.)  
P L L C (or P.L.L.C.)  
R L L P (or R.L.L.P.)  
P L L (or P.L.L.)  
L L P (or L.L.P.)

- (5) The following words and symbols will be disregarded: “the”, “of”, “and” and “&”.
- (6) All spaces and hyphens are disregarded.
- (7) For searches against the names of individuals:
- (i) All search results will reflect only the name as submitted in the search request, without variations. So-called “similar matches” or “proximity matches” will not be included in the search results.

- (ii) The presence or absence of a middle name or middle initial is significant. Initials are not treated as the logical equivalent of names that begin with such initials. For example:
  - (A) A search request for the debtor “John Smith” will not reflect any filings that may be under the names “John A. Smith”, “John Alan Smith”, or “J. Smith”.
  - (B) A search request for the debtor “John A. Smith” will not reflect any filings that may be under the names “John Smith”, “John Alan Smith”, “J. A. Smith”, or “John B. Smith”.
  - (C) A search request for the debtor “John Alan Smith” will not reflect any filings that may be under the names “John A. Smith”, “J. A. Smith”, “J. Alan Smith”, or “John Smith”.
  - (D) A search request for the debtor “J. Smith” will not reflect any filings that may be under the names “John Smith”, “J. A. Smith”, or “J. Alan Smith”.
- (iii) Nicknames are not treated as the logical equivalent of a given name. For example, a search request for the debtor “David Smith” will not reflect any filings that may be under the name “Dave Smith.”
- (8) For searches against the names of organizations, all search results will reflect only the name as submitted in the search request, without variations. So-called “similar matches” or “proximity matches” will not be included in the search results. For example, a search request for the debtor “John Smith’s Auto Sales, Inc.” will not reflect any filings there may be under the names “John A. Smith’s Auto Sales, Inc.” or “John Smith’s Automobile Sales, Inc.” (note, however, that filings under the name “John Smith’s Auto Sales Corp.” will be reflected, because “Inc.” and “Corp” are words mentioned in paragraph (a)(4)(i) of this Section 143-4.3, and will be ignored in performing the search).
- (b) After using the preceding rules to modify the name of the debtor requested to be searched, the search will reveal only names of debtors that exactly match the name requested, as modified.
- (c) A search request may contain any of the following information.
  - (1) The request may limit the records requested by limiting them by the city of the debtor. A report created by the filing office in response to such a request may contain a statement substantially similar to the following: “A limited search may not reveal all filings against the debtor searched and the requesting party bears the risk

of relying on such a search.” If a National Information Request Form UCC11 (Rev. 5/09/01) is used to make such a limited search request, the request to limit the search and the parameters of the limitation (i.e., the city to be searched) should be stated in item 3 of that form.

- (2) The request may ask for copies of UCC records identified on the primary search response. A search request asking for copies must be accompanied by the appropriate fee for such copies, in addition to the fee mentioned in Section 143-5.1 (b)(6).
  - (3) Instructions on the mode of delivery desired, if other than by ordinary mail, which request will be honored, provided that (i) the requested mode is available to the filing office and (ii) any additional costs associated with such delivery is paid for by the requestor.
- (d) Reports created in response to a search request shall include the following.
- (1) Filing officer. Identification of the filing office and the certification of the filing officer required by law.
  - (2) Report date. The date the report was generated.
  - (3) Name searched. Identification of the name searched.
  - (4) Certification date. The certification date and time for which the search is effective.
  - (5) Identification of initial financing statements. Identification of each unlapsed initial financing statement filed on or prior to the certification date and time corresponding to the search criteria, by name of debtor, by file number, and by file date (and, if requested in the search request, identification of each lapsed initial financing statement filed on or prior to the certification date corresponding to the search criteria, by name of debtor, by file number, and by file date, provided that a record of such initial financing statement is still maintained by the filing office under section 9-522(a) of the Uniform Commercial Code on the certification date).
  - (6) History of financing statement. For each initial financing statement on the report, a listing of all related UCC records filed by the filing office on or prior to the certification date.

- (7) Copies. Copies of all UCC records revealed by the search, provided that (i) the search request is accompanied by a request for such copies and (ii) the copy request is accompanied by the appropriate fee for such copies, in addition to the search request fee set forth in Section 143-5.1 (b)(6).

## **Subpart 143-5 Fees**

### **Section 143-5.1 Fees.**

- (a) For the purposes of this Section 143-5.1, the term “standard form” shall mean:
- (1) in the case of a financing statement, the form promulgated by the Department of State in Paragraph 143-1.3(a)(1), with no addendum, cooperative addendum or other exhibit, schedule or attachment annexed thereto;
  - (2) in the case of a continuation, termination, assignment, release of collateral, or other amendment, the form promulgated by the Department of State in Paragraph 143-1.3(a)(3), with the box checked in the appropriate item, and with no addendum, cooperative addendum or other exhibit, schedule or attachment annexed thereto; and
  - (3) in the case of a search request, the form promulgated by the Department of State in Paragraph 143-1.3(a)(7), with no addendum, cooperative addendum or other exhibit, schedule or attachment annexed thereto.
- (b) The Department of State and other filing offices shall collect the following fees for services specified in this subdivision rendered pursuant to part 5 of article 9 of the Uniform Commercial Code:
- (1) for filing, indexing and acknowledging the filing of a financing statement or a continuation, the fee shall be \$7 if such financing statement or continuation is in the standard form, and the fee shall be \$12 if such financing statement or continuation is not in the standard form but otherwise conforms to the requirements of part 5 of such article, plus, in either case, an additional fee:
    - (i) if (A) the financing statement or continuation is not filed in the office of the Secretary of State and (B) the financing statement or continuation covers collateral which is as-extracted collateral or timber to be cut, or the financing statement is filed as a fixture filing and the collateral is goods that are or are to become fixtures, of 50 cents, and in addition;
    - (ii) if the financing statement or continuation is not filed in the office of the Secretary of State and covers real estate located in the city of New York, \$2 for the first block and lot indexed, \$2 for each additional block indexed, and \$3 for each additional lot indexed;

(iii) if the financing statement or continuation is not filed in the office of the Secretary of State and covers real estate located in the county of Nassau, \$10;

(2) for filing, indexing and acknowledging the filing of a termination, the fee shall be \$7 if such termination is in the standard form, and the fee shall be \$12 if such termination is not in the standard form but otherwise conforms to the requirements of part 5 of such article;

(3) for filing, indexing and acknowledging the filing of an assignment (other than an assignment included in an initial financing statement), the fee shall be \$7 if such financing statement or assignment is in the standard form, and the fee shall be \$12 if such financing statement or assignment is not in the standard form but otherwise conforms to the requirements of part 5 of such article (in the case of an initial financing statement that includes an assignment, the fee(s) applicable to such initial financing statement shall be collected);

(4) for filing, indexing and acknowledging the filing of a release of collateral (including but not limited to an amendment that deletes or releases collateral), the fee shall be \$7 if such amendment is in the standard form, and the fee shall be \$12 if such amendment is not in the standard form but otherwise conforms to the requirements of part 5 of such article;

(5) for filing, indexing and acknowledging the filing of an amendment, the fee shall be \$7 if such amendment is in the standard form, and the fee shall be \$12 if such amendment is not in the standard form but otherwise conforms to the requirements of part 5 of such article; and

(6) for searching the file and communicating (by written certificate or otherwise) the information mentioned in Section 9-523(c) of the Uniform Commercial Code, the fee shall be \$7 if the search request is on the standard form, and the fee shall be \$12 if such search request is not in the standard form but otherwise conforms to the requirements of part 5 of such article, plus, in either case, the fees mentioned in paragraph (f) of this Section for any copies that may be provided with the search results;

(c) The Department of State may sell duplicate copies of microfilmed records pertaining to filings made with the Department of State pursuant to article 9 of the Uniform Commercial Code during any month. Such records will be sold only for a complete calendar month and the fee per month is \$300.

(d) The Department of State and other filing offices shall collect the following fees for services specified in this subdivision rendered pursuant to article 10-A of the Lien Law and section 9-523(c) of the Uniform Commercial Code:

(1) for filing, indexing and acknowledging the filing of a notice of lien for taxes payable to the United States of America and certificates and notices affecting such liens when filed in the standard form prescribed by the Secretary of State for filing such notices and certificates with the Secretary or other filing office, the fee shall be \$7; and

(2) for searching the file and communicating (by written certificate or otherwise) information reflecting any presently effective notices of Federal tax liens and certificates affecting such liens and giving the date and hour of filing of each such notice or certificate, the fee shall be \$7 if the search request is on the standard form, and the fee shall be \$12 if such search request is not in the standard form but otherwise conforms to the requirements of part 5 of such article, plus, in either case, the fees mentioned in paragraph (f) of this Section for any copies that may be provided with the search results.

(e) The Department of State shall collect the following fee for expedited handling services rendered in connection with the Uniform Commercial Code and/or article 10-A of the Lien Law. For the same day expedited handling of requests for any service for which a fee is collected, \$75. This fee is in addition to any other fee associated with the filing or other service requested. For the purposes of this section, the term same day expedited handling shall mean the completion of the request on the same day as the request, provided the request is submitted at least two hours prior to the close of business.

(f) The Department of State shall collect the following fee for copies of UCC records: \$1.50 per page for plain copies, and \$1.50 per page plus \$5.00 per document for certified copies.

### **Section 143-5.2 Authorized methods of payment of fees**

Fees paid to the office of the Secretary of State for services rendered under the Uniform Commercial Code may be paid by check or money order. Fees paid in person at the office of the Secretary of State may be paid by cash, check or money order. Checks and money orders should be made payable to the "Department of State." Checks over \$500 must be certified.

### **Section 143-5.3 Refunds of overpayment of fees**

(a) No refunds will be issued for overpayment of fees under the Uniform Commercial Code in the amount of \$1 or less.

(b) Refunds of overpayment of fees under the Uniform Commercial Code in the amounts of \$1.01 up to and including \$5 will only be made upon specific written request. Such request for refund must include the name and address of the debtor, and secured party or requesting party, as shown on the financing statement or request for search/copy, the date of filing or search/copy, and the filing or search/copy number assigned by the Uniform Commercial Code Unit.

(c) Refunds will be automatically issued for overpayment of fees under the Uniform Commercial Code in the amount of \$5.01 and up.