

Income Tax - Refund Check Forgeries

What must I do if my refund check was subject to forgery?

It is not common for taxpayers who are expecting a refund to find out someone has forged their name and cashed their income tax refund check, but it does occasionally occur.

There are several steps a taxpayer can take to help avoid this kind of problem.

- When filing your return use the correct address of where the refund should be sent on the form.
- Keep track of when you filed your return and keep copies of the filed documentation. How long it takes to receive a refund is contingent upon when you file. If the time seems longer than usual you may check the refund status at www.Colorado.gov/RevenueOnline under Where's My Refund.
- Use the department's Direct Deposit system. By directly depositing your refund check into your bank account you will avoid any chance of someone forging your name. See Form 104 Individual Income Tax Forms and Instructions Booklet for more information on how to use Direct Deposit.

What if your refund check has been forged and cashed?

If you discover that your refund check has been cashed as a result of a forgery there are several things you should do.

- Contact the Department of Revenue. You may either call the department at (303) 205-8211 extension 6833 or send a letter inquiring about the refund stating that you have never received it or believe it may have been cashed because of a forgery. A copy of the check will be obtained and sent to you so that the signature can be verified. Sometimes taxpayers forget they received the check and cashed it themselves. The signature verification will most likely determine if that is what occurred.
- If it is a verified forgery you will need to fill out a Bank One Forgery Affidavit. The affidavit will not be sent until you have verified that the signature is in fact a forgery.
- You are not required to send in another copy of your income tax return. You must have the forgery affidavit notarized and signed. This information along a copy of your driver's license and a copy of the check must be sent to the Department of Revenue.
- Include in your correspondence to the department a current address and telephone number should a replacement refund check be issued.

Once the Department has received the necessary and confirmed information from you, all of the documentation is submitted to the Treasury Department. From there the information goes directly to the bank where the check was cashed. The bank will investigate the claim and determine whether a check is to be reissued. The bank will contact the Treasury who will then contact the Department of Revenue. This process may take up to eight months.

Once the findings are complete the Department of Revenue will send a letter as to whether a reissued check has been approved or denied. The letter will state either the reason(s) for denial or will indicate that the check has been reissued and when and where it can be obtained. Normally, the check is not sent through the mail again, however, in some instances, reissued checks can be mailed with proper address verification. The check must be picked up at the Department of Revenue. Taxpayers picking up a reissued check must bring valid identification such as drivers license or state issued identification card.