



STATE OF SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS



MOTOR VEHICLE DEALER CLOSING FEE INSTRUCTIONS

Mailing Address

P.O. Box 5246
Columbia, SC29250-5246

S.C. Code Ann. § 37-2-307
www.consumer.sc.gov
803-734-4238/800-922-1594

Street Address

2221 Devine Street, Suite200
Columbia, SC29205-2418

NOTICE OF CLOSING FEE (READ INSTRUCTIONS CAREFULLY AS THE LAW HAS CHANGED)

Prior to charging a closing fee (sometimes referred to by other terms such as doc fee, doc prep fee, administrative fee, processing fee), a motor vehicle dealer must provide written notice to the S.C. Department of Consumer Affairs of the maximum amount of a closing fee the dealer intends to charge.

If the maximum amount the dealer intends to charge is **\$225 or less**:

- complete and submit the Notice of Closing Fee Form and pay the registration fee;
- the proposed fee will automatically be considered reasonable; and
- the dealer can begin charging it after posting the Certificate issued by the Department.

If the maximum amount the dealer intends to charge is **more than \$225**:

- complete and submit the Notice of Closing Fee Form and pay the registration fee;
- complete and submit the Addendum;
- the proposed fee will be subject to review by the Department for reasonableness based on the information provided in the Addendum; and
- the dealer can begin charging it after posting the Certificate issued by the Department.

The closing fee must be included in the advertised price of the motor vehicle, disclosed on the sales contract, and displayed in a conspicuous location in the dealership.

CLOSING FEE

A closing fee is a fee charged for all administrative and financial work needed to transfer the motor vehicle to the consumer, person, or entity including, but not limited to, compliance with all state, federal, and lender requirements, preparation and retrieval of documents, protection of the private personal information of the consumer, records retention, and storage costs.

Official fees (for example, tax, tags, and title) are not included in the closing fee and should be listed separately on the sales contract.

The only items that can be included in a closing fee are:

1. all administrative expenses, costs, staff, supplies, materials, and financial work needed to transfer the motor vehicle to the consumer and to procure the closing of the motor vehicle transaction;
2. all costs for administrative expenses, costs, staff, supplies, and materials necessary by dealer to comply with all state, federal, and lender requirements;
3. all costs for administrative costs, staff, and materials needed for the preparation and retrieval of documents;
4. all costs for administrative costs, staff, supplies, and materials necessary for the protection of the private personal information of the consumer; and
5. all costs for administrative costs, staff, supplies, and materials necessary for records retention and storage costs of such records.

REGISTRATION FEE

The Notice of Closing Fee Form must be accompanied by a registration fee of \$25.00. Make checks and money orders payable to the **S.C. Department of Consumer Affairs, Attn: Legal Division-Registered Creditors, P.O. Box 5246, Columbia, S.C. 29250-5246.**

RENEWALS

A motor vehicle dealer must file its proposed closing fee and pay the registration fee before January 31st each year.

MAKE SURE TO COMPLETE THE NOTICE OF CLOSING FEE FORM AND THE ADDENDUM, IF APPLICABLE, IN THEIR ENTIRETY. FAILURE TO DO SO WILL RESULT IN DELAYED PROCESSING.



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NOTICE OF CLOSING FEE ADDENDUM
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IF THE PROPOSED CLOSING FEE AMOUNT EXCEEDS \$225.00, THIS FORM AND THE REQUIRED ATTACHMENT MUST BE FILED WITH THE NOTICE OF CLOSING FEE FORM.

The S.C. Department of Consumer Affairs is responsible for processing Notice of Closing Fee forms and issuing certificates to be posted at locations where a motor vehicle dealer intends to charge a closing fee. The Department may review the amount of the proposed closing fee for reasonableness if the maximum amount of the closing fee exceeds \$225.00 per vehicle.

If the Department intends to conduct a formal review of the proposed closing fee amount, the Department will provide written notice to the dealer within thirty (30) days of receiving the Notice of Closing Fee form.

Business Name _____

Contact Name _____

1. Attach an explanation of the method used to calculate the proposed maximum closing fee.
2. List all supporting documents used in calculating the proposed maximum closing fee:

3. Indicate the dollar amount associated with each of the following factors. Note that the total dollar amount must equal the proposed maximum closing fee amount provided on the Notice of Closing Fee form.

- a. administrative expenses, costs, staff, supplies, materials, and financial work needed to transfer the motor vehicle to the consumer and to procure the closing of the motor vehicle transaction \$ _____
 - b. costs for administrative expenses, costs, staff, supplies, and materials necessary by dealer to comply with all state, federal, and lender requirements \$ _____
 - c. costs for administrative costs, staff, and materials needed for the preparation and retrieval of documents \$ _____
 - d. costs for administrative costs, staff, supplies, and materials necessary for the protection of the private personal information of the consumer \$ _____
 - e. costs for administrative costs, staff, supplies, and materials necessary for records retention and storage costs of such records \$ _____
- TOTAL** \$ _____

The South Carolina Freedom of Information Act may require the Department to release a copy of your filing as a public record. Personal identifying information will be released only if required by law.