

BEFORE THE TAX COMMISSION OF THE STATE OF IDAHO

In the Matter of the Protest of)
)
 REDACTED) DOCKET NO. 0-098-332-672
)
 Petitioner.)
)
) DECISION
)
 _____)

On February 27, 2015, the Income Tax Audit division of the Idaho State Tax Commission (Commission) issued a Notice of Deficiency Determination (NODD) to Redacted (taxpayer) proposing additional income tax, penalty, and interest for taxable year 2012 in the total amount of \$1,581.

A timely protest and petition for redetermination was filed by the taxpayer. The taxpayer has not requested a hearing. The Commission has reviewed the file, is advised of its contents, and hereby issues its decision modifying the NODD.

The taxpayer was issued an NODD by the Commission pursuant to Redacted redetermination of his income. The Commission received Redacted showing that they had decreased the number of personal exemptions claimed. The Commission found that the auditor correctly recomputed the taxpayer's Idaho income tax liability pursuant to the Redacted redetermination.

The taxpayer protested the NODD. The protest was acknowledged and the taxpayer was asked to provide documentation showing any changes to the original audit by the Redacted or any other information he would like the Commission to consider.

To date, the taxpayer has not provided any documentation from the Redacted that shows the Redacted NODD was changed, however, a review of Redacted records by the Commission

indicates that the number of exemptions has been increased from one to four. Therefore, the Commission has modified the NODD to reflect that change.

Idaho Code § 63-3002 states it is the intent of the Idaho legislature to make the Idaho income tax code identical to the Redacted in the way taxable income is determined. Idaho Code § 63-3069 states that, upon a final determination of any deficiency or refund of Redacted, written notice shall immediately be sent to the State Tax Commission by the taxpayer. IDAPA 35.01.01 Income Tax Administrative Rule 890.03 states that immediate notification is within 60 days of the final determination.

From the cited Idaho Code sections and the Administrative Rule, it is apparent the Idaho legislature intended any changes made to the taxpayer's Redacted return to be reflected on the taxpayer's Idaho return. Therefore, it is the Commission's position that the changes made to the taxpayer's Redacted return must be made to the taxpayer's state return.

Since a recent review of Redacted records indicates that the number of exemptions has been increased from one to four, the Commission has adjusted the NODD dated February 27, 2015, to reflect that change.

THEREFORE, the Notice of Deficiency Determination dated March 13, 2015, and directed to Redacted is hereby MODIFIED and MADE FINAL.

IT IS ORDERED that the taxpayer pay the following amount of tax, penalty and interest:

| <u>YEAR</u> | <u>TAX</u> | <u>PENALTY</u> | <u>INTEREST</u> | <u>TOTAL</u> |
|-------------|------------|----------------|-----------------|--------------|
| 2012 | \$351 | \$18 | \$38 | \$407 |

Interest is calculated through January 22, 2016.

DEMAND for immediate payment of the foregoing amount is hereby made and given.

An explanation of the taxpayer's right to appeal this decision is enclosed.

DATED this _____ day of _____ 2015.

IDAHO STATE TAX COMMISSION

COMMISSIONER

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____ 2015, a copy of the within and foregoing DECISION was served by sending the same by United States mail, postage prepaid, in an envelope addressed to:

REDACTED

Receipt No.
