

BEFORE THE TAX COMMISSION OF THE STATE OF IDAHO

In the Matter of the Protest of)	
)	DOCKET NO. 0-703-087-616
)	
Petitioners.)	DECISION
)	

The Central Processing Bureau (Bureau) at the Idaho State Tax Commission (Tax Commission) issued a Notice of Deficiency Determination to (Petitioners) asserting additional tax, penalty, and interest for tax year 2021. Petitioners filed a timely appeal and petition for redetermination of the Notice. The only issue remaining for decision is whether the Tax Commission should abate the assessed penalty.

Petitioners elected to have their \$2,722 overpayment shown on their 2020 Idaho individual income tax return applied to their 2021 tax return. However, instead of applying the overpayment to the following tax year, the Bureau refunded the overpayment. Petitioners claimed the refunded overpayment on their 2021 tax return. The Bureau disallowed the claimed overpayment and issued a Notice. Petitioners appealed contending they elected to have their \$2,722 overpayment shown on their 2020 Idaho individual income tax return applied to their 2021 tax return.

On appeal, Petitioners acknowledge the Tax Commission refunded the overpayment in question and concede the issue. However, Petitioners amend their appeal to dispute the penalty. Therefore, the only issue remaining for decision is whether the Tax Commission should waive the assessed penalty. The Tax Commission finds sufficient cause to waive the penalty.

THEREFORE, the Notice of Deficiency Determination dated November 4, 2022, is hereby MODIFIED, in accordance with the provisions of this decision, and is AFFIRMED and MADE FINAL.

Petitioners paid the assessed tax and interest. Therefore, no demand for payment is made or necessary.

An explanation of Petitioners' right to appeal this decision is enclosed.

DATED this _____ day of _____ 2023.

IDAHO STATE TAX COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____ 2023,
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:

Receipt No.
