

BEFORE THE TAX COMMISSION OF THE STATE OF IDAHO

| | | |
|---------------------------------|---|--------------------------|
| In the Matter of the Protest of |) | |
| ██████████ |) | DOCKET NO. 0-975-627-264 |
| ██████████ |) | |
| |) | |
| Petitioner. |) | DECISION |
| _____ |) | |

██████████ (Petitioner) protested the Notice of Deficiency Determination (Notice) dated May 3, 2024. Petitioner disagreed with the Tax Discovery Bureau’s (Bureau) determination of his Idaho taxable income for tax years 2017 through 2022. The Idaho State Tax Commission (Tax Commission) reviewed the matter and hereby upholds the Notice for the reasons stated below.

BACKGROUND

During a review of Petitioner’s filing history with the Tax Commission, the Bureau found Petitioner stopped filing Idaho income tax returns after filing his 2016 return. The Bureau sent Petitioner a letter asking about his requirement to file Idaho income tax returns for tax years 2017 through 2022. Petitioner did not respond. The Bureau determined Petitioner was required to file Idaho income tax returns, so it prepared returns for Petitioner using W-2 and 1099 income and sent him a Notice.

Petitioner protested the Bureau’s determination for each year stating:

The amount seems astronomical and I do recall having problems with another ██████████ tax information messing mine up, especially when I was with ██████████. I also believe my tax deduction was messed with while at ██████████ which I don’t completely understand but I was on workman’s comp for almost a full year and this amount seems crazy. Everyone is struggling in this crazy economy and I can’t afford these numbers, there has to be a huge mistake, especially with all the tax breaks and stimulus checks I didn’t receive. If this crazy amount were paid I guess I would be entitled to those breaks which are more than this, every other tax paying citizens got the breaks. I think this needs to be looked at because this amount seems astronomical and there’s no way I could pay this unless it was a very reasonable amount over a lengthy time period.

The Bureau acknowledged Petitioner's protest, addressing some of his concerns and giving him time to provide more information or file actual returns. When Petitioner did not respond, the Bureau forwarded the case to the Tax Commission's Appeals Unit (Appeals) for administrative review. Appeals reviewed the matter and sent Petitioner a letter that discussed the methods available for redetermining a Notice. This garnered no response. Seeing that Petitioner had time to file his returns or submit additional information, the Tax Commission decided that matter based on the information available.

LAW AND ANALYSIS

Idaho Code section 60-3030 provides the income thresholds for filing Idaho income tax returns. The information the Bureau gathered clearly shows Petitioner's income exceeded the threshold for each of the years. Petitioner was required to file Idaho income tax returns.

Petitioner did not deny he was required to file Idaho income tax returns for tax years 2017 through 2022. Instead, Petitioner argues the Bureau's calculation of his Idaho taxable income is incorrect as there were issues with the tax information provided by his employer. Petitioner claims the amount of tax due shown in the Notice is overstated, yet he has provided no documentation to the contrary. Petitioner did not provide any of the requested documentation and has yet to file the missing returns.

In Idaho, it is well established that a Tax Commission Notice is presumed to be correct, and the taxpayer bears the burden of showing the deficiency is erroneous. See *Parsons v. Idaho State Tax Commission*, 110 Idaho 572, 574-575 n.2 (Ct. App. 1986) (citing *Albertson's Inc. v. State, Dept. of Revenue*, 106 Idaho 810, 814 (1984)). The Tax Commission requires Petitioner to provide adequate evidence to establish that the amount asserted in the Notice is incorrect, which he has failed to do.

CONCLUSION

Petitioner received income in 2017 through 2022 which was over the threshold for filing Idaho income tax returns. Petitioner was required to file Idaho income tax returns but has not. Furthermore, he has not shown the returns the Bureau prepared are incorrect. Therefore, the Tax Commission upholds the Bureau’s determination of Petitioner’s taxable income for those years.

The Bureau added interest and penalty to Petitioner’s tax deficiency. The Tax Commission reviewed those additions and found them to be appropriate and in accordance with Idaho Code sections 63-3045 and 63-3046, respectively.

THEREFORE, the Notice dated May 3, 2024, and directed to [REDACTED] [REDACTED] is hereby AFFIRMED and MADE FINAL.

IT IS ORDERED that Petitioner pay the following tax, penalty, and interest calculated per Idaho Code section 63-3045:

| <u>YEAR</u> | <u>TAX</u> | <u>PENALTY</u> | <u>INTEREST</u> | <u>TOTAL</u> |
|-------------|------------|----------------|-----------------|--------------|
| 2017 | \$516 | \$129 | \$147 | \$792 |
| 2018 | 1,740 | 435 | 423 | 2,598 |
| 2019 | 2,030 | 508 | 384 | 2,922 |
| 2020 | 2,338 | 585 | 373 | 3,296 |
| 2021 | 3,859 | 965 | 535 | 5,359 |
| 2022 | 2,155 | 539 | 221 | <u>2,915</u> |
| | | | TOTAL | \$17,882 |

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

An explanation of Petitioner’s right to appeal this decision is enclosed.

DATED this _____ day of _____ 2024.

IDAHO STATE TAX COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____ 2024,
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.
