BEFORE THE TAX COMMISSION OF THE STATE OF IDAHO

In the Matter of the Protest of

Petitioner.

DOCKET NO. 1-536-587-776

DECISION

The Tax Discovery Bureau (Bureau) of the Idaho State Tax Commission (Tax Commission) issued a Notice of Deficiency Determination (Notice) to (Petitioner), for the tax years 2015 through 2019. Petitioner protested the Notice and requested more time to file actual returns. The Tax Commission has reviewed the file and issues its decision

upholding the Notice.

BACKGROUND

The Bureau sent requests for Petitioner to file missing Idaho income tax returns for the years 2015 through 2019. Petitioner did not respond, so the Bureau prepared returns for Petitioner by estimating his business income from and with available W2/1099 information. The Bureau estimated income from by using data from the Bureau of Labor Statistics for septic tank services and sewer pipe cleaners. According to the Idaho Secretary of State website, Petitioner registered as a business in February of 2008, and is currently in good standing. Due to Petitioner not filing returns for his business in previous years, the Bureau did not allow business expenses. Petitioner filed a timely protest, stating he does not agree with the Bureau's estimates of his business income and requested more time to file. He stated he would have his returns filed by April of 2022. The Bureau responded by acknowledging his protest and requested his returns by March 2, 2022. Petitioner did not respond, so his case was transferred to Appeals.

After the case was transferred to Appeals, a letter was sent to Petitioner explaining the appeals process and his rights to a hearing. Petitioner responded by requesting more time to file his returns explaining he was having trouble communicating with his tax preparer. Appeals gave him additional time while requesting updates. Petitioner eventually stopped providing updates and responding. After no response, the Tax Commission issues its decision.

LAW AND ANALYSIS

Idaho Code section 63-3030 provides that every resident individual of Idaho required to file a federal return under section 6012(a)(1) of the Internal Revenue Code must file an Idaho return. Under Internal Revenue Code section 6012(a)(1), a taxpayer must file tax returns where their gross income equals or exceeds the standard deduction amount for that year. Petitioner exceeds the income requirements for filing tax returns.

Petitioner has failed to provide any substantive argument or documentation to show the individual income tax returns prepared by the Bureau are incorrect. Therefore, the Tax Commission finds no basis for making any changes to the Notice.

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 October 21, 2021, and directed to is hereby APPROVED and MADE FINAL.

YEAR	TAX	PENALTY	INTEREST	TOTAL
2015	\$3,698	\$925	\$919	\$5,542
2016	2,397	599	507	3,503
2017	2,380	595	425	3,400
2018	2,283	571	310	3,164
2019	2,521	630	206	3,357
			TOTAL DUE	\$18,966

IT IS ORDERED that Petitioner pay the following tax, penalty, and interest:

Interest is calculated through March 14, 2023.

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 _____ 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.