



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
(916) 322-2270 • FAX (916) 324-3984
www.boe.ca.gov

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First District, San Francisco

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JEROME E. HORTON
Fourth District, Los Angeles

JOHN CHIANG
State Controller

CYNTHIA BRIDGES
Executive Director

STATE BOARD OF EQUALIZATION MEETING
5901 Green Valley Circle, Room 207, Culver City
October 14-15, 2014
NOTICE AND AGENDA
Meeting Agenda (as of 10/14/2014 12:00 PM)

[Agenda Changes](#)

[Webcast on Tuesday, October 14, 2014](#)

Tuesday, October 14, 2014

9:30 a.m. Board Meeting Convenes*

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chair may modify the order of the items on the agenda. Items may be postponed to a subsequent day; however, items will not be moved to an earlier day.

A. Homeowner and Renter Property Tax Assistance Appeals Hearings
There are no items for this matter.

B. Corporate Franchise and Personal Income Tax Appeals Hearings
(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

B1. [Rob Zakir and Raya Zakir, 624832 +](#)

For Appellants: Rob Zakir, Taxpayer
George Chelius, Representative
For Franchise Tax Board: Eric Yadao, Tax Counsel
Karen Smith, Tax Counsel

~~B2. [Larry G. Dighera, 515547 +](#)~~

~~For Appellant: [Larry G. Dighera, Taxpayer](#)
[John Bostwick, Representative](#)
[Joseph A. Vinatieri, Attorney](#)
For Franchise Tax Board: [Raul Escatel, Tax Counsel](#)
[David Gemmingen, Tax Counsel](#)~~

- ~~B3. Semyon Shekhter and Elena Shekhter, 740750 +
For Appellants: Semyon Shekhter, Taxpayer
Clark Samuelson, Representative
Jim Murphy, Representative
Scott Stogsdill, Representative
Alex Artamonov, Representative
For Franchise Tax Board: Todd Watkins, Tax Counsel
Ian Foster, Tax Counsel~~
- B4. Neville Bothwell and Ila Bothwell, 713600 +**
For Appellants: Floyd C. Geis, Representative
For Franchise Tax Board: Maria Brosterhous, Tax Counsel
Karen Smith, Tax Counsel
- B5. Tak Development, Inc., 765468 +**
For Appellant: Eric Anderson, Attorney
Shail Shah, Attorney
For Franchise Tax Board: Jason Riley, Tax Counsel
David Gemmingen, Tax Counsel
- ~~B6. Millennium Dental Technologies, Inc., 747501 +
For Appellant: Patrick McCormick, Taxpayer
Blake E. Christian, Representative
Stacy Yamanishi, Representative
For Franchise Tax Board: Ian Foster, Tax Counsel
Todd Watkins, Tax Counsel~~
- B7. Catherine A. Zikakis, 767950 +**
For Appellant: Donald Segretti, Attorney
For Franchise Tax Board: Judy Hirano, Tax Counsel
David Gemmingen, Tax Counsel
- B8. Arturo Lopez and Maria D. Lopez, 740943+**
For Appellants: Arturo Lopez, Taxpayer
Lynwood Ford, Representative
For Franchise Tax Board: Todd Watkins, Tax Counsel
David Gemmingen, Tax Counsel
- B9. Debra Hackley, 728285 +**
For Appellant: Debra Hackley, Taxpayer
Ann Doan, Representative
For Franchise Tax Board: Eric Yadao, Tax Counsel
Karen Smith, Tax Counsel

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

C1. Mi Kyung Park and V. Young Rok Park, 620616 (AA) +

For Petitioners: Young Rok Park, Taxpayer
Mi Kyung Park, Taxpayer
For Department: Scott Lambert, Hearing Representative

C2. Sur Trading, Inc., 575609 (FH) +

For Petitioner: Mario Scolari, Taxpayer
John W. Trudell, Representative
For Department: Scott Lambert, Hearing Representative

D. Special Taxes Appeals Hearing

This item is scheduled for Wednesday, October 15, 2014.

There are no items for the following matters:

- E. Property Tax Appeals Hearings
- F. Public Hearings

G. Tax Program Nonappearance Matters – Consent(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)**G1. Legal Appeals Matters Mr. Angeja**

- Hearing Notice Sent – No Response
 1. AA Toro Sushi, Inc., 569629 (EH)
 2. Advanced Inhalation Revolutions, 423633 (AS)
 3. American Pro Corp., 486037 (EA)
 4. AMCC-Alternative Med. Col. Covina, 604797 (AP)
 5. Firoza Bomi Bharucha, 560706 (SO)
 6. ~~Corner House Coffee, LLC, 605968 (GH)~~
 7. Gourgen Dalir, 625176 (AC)
 8. David Joseph Fredette, 531948 (AA)
 9. Alice Y. Huang, 574144 (AA)
 10. Jose H. Jensen, 436807 (AS)
 11. Michael Kenner, 556754 (AS)
 12. Mohammad J. Malekzadeh, 598005 (EH)
 13. Richard Sean McGowan, 437584 (AS)
 14. Alfredo Marroquin and Leticia Salcido, 631017 (AP)
 15. Super Color Digital, LLC, 596137, 795450 (EA)
 16. Trilogynet Corporation, 614080 (AR)
 17. Wide Open Excursions, LLC, 606103 (EA)
- Hearing Notice Sent – Appearance Waived
 18. David Hoang, 715534 (UT)
- Petitions for Release of Seized Property
 19. Ali Mohamed Alkanshanly, 797626 (STF)
 20. Bassam Hamood Mohamed Mohsin, 799447 (STF)
 21. Hassan Tahir Nuru, 794287 (STF)
 22. Harshadkumar Ramnlal Dave and Pragnaben Harshadkumar Dave, 794283 (STF)

- G2. Franchise and Income Tax Matters Mr. Epolite
- Decisions
 1. CFL, LP, 764609
 2. Pedro V. Dating and Simona V. Dating, 764257
 3. Frances Diaz, 605995
 4. Hilario D. Gonzales and Dawn N. Melkus Gonzales, 620569
 5. Tsegai Haile and Eden Haile, 711561
 6. Paul Hansen, 678002
 7. John T. Harding, 712994
 8. Neri D. Hernandez A., 785723
 9. Andre Jackson, 741548
 10. Seshayya Krishnamoorthy, 770932
 11. Rose I. Logue, 737052
 12. Roderick Keith Long, 727530
 13. William MacDonald and Carroll MacDonald, 675505
 14. Mostafa Mehrasa, 653287
 15. Christina Moreno, 636174
 16. Arne Ogaard and Linda Ogaard, 719271
 17. Ludino Papa, 623816
 18. Penoe, Inc., 785013
 19. Lawrence Pizinger and Lillian Pizinger, 764247
 20. Helmer Rauda and Beatrix Rauda, 643682
 21. Jerome J. Reso III, 631085
 22. Aziz Sehorewala, 625443
 23. William Tan and Ai-Lin Tsai, 790056
 24. Andrew Villena, 624808
 25. Todd Wallin and Patricia K. Evans Wallin, 735467
 26. Alan H. Young and Britta B. Young, 557067
 27. Nikolai A. Zarkevich, 729226
 - Petitions for Rehearing
 28. Robert L. Botello and Anselma Botello, 607350
 29. Deanna L. Kwan, 601923
- G3. Homeowner and Renter Property Tax Assistance Matters
There are no items for this matter.
- G4. Sales and Use Taxes Matters.....Mr. McGuire
- Relief of Penalty/Interest
 1. Main Electric Supply Co., 835515 (AS)
 - Denials of Claims for Refund
 2. AMC Showplace Theatres, Inc., 825489 (OH)
 3. Presidio Technology Capital, LLC, 731041 (OH)
 4. Veros Credit, LLC, 623746 (EA)
 - Grant-One Day Interest Relief
 5. Gibbs International, Inc., 835520 (AR)
 6. Univar USA, Inc., 838220 (OH)
 7. OC Metals, Inc., 828223 (EA)
 8. J & Z Petroleum, Inc., 835521 (CH)

9. Sacramento Petroleum, Inc., 838218 (KH)
 10. Miracle Ear, Inc., 835517 (OH)
 11. Seafood Village, Inc., 838226 (AP)
 12. Everett Charles Technologies, LLC, 835516 (AP)
- G5. Sales and Use Taxes Matters – Credits, Cancellations, and RefundsMr. McGuire
- Credits and Cancellations
 1. LCI Holdings, Inc., 588294 (OH)
 - Refunds
 2. Trojan Petroleum, Inc., 727514 (GH)
 3. Earthgrains Baking Companies, Inc., 758247 (OH)
 4. Bud Antle, Inc., 546995 (GH)
 5. Riverside Community Hospital, 594102 (EH)
 6. American Material Mgt. Allianc, Inc., 630353 (EH)
 7. Varni Brothers Corporation, 826828 (KH)
 8. American Multi-Cinema, Inc., 826235 (OH)
 9. Adtran, Inc., 613005 (OH)
 10. Certainteed Corporation, 743841 (OH)
 11. LCI Holdings, Inc., 794261 (OH)
 12. Chevrolet Motor Division, 827703 (OH)
 13. Mercedes-Benz USA, LLC, 827640 (KH)
 14. Links Unlimited, Inc., 741476 (OH)
 15. Pacificare Health Plan Administrators, Inc., 837823 (EA)
 16. Americredit Financial Service, Inc., 822554 (OH)
 17. Lobel Financial Corporation, 815884 (EA)
 18. Pernod Ricard USA, LLC, 624673 (OH)
 19. Process Displays Company, 801773 (OH)
 20. A-L Financial Corp., 774384 (EA)
 21. Perficient, Inc., 809623 (OH)
 22. AN Luxury Imports of San Diego, 554397 (OH)
 23. AMC Showplace Theatres, Inc., 825489 (OH)
 24. Veros Credit, LLC, 623746 (EA)
- G6. Special Taxes Matters Ms. Bartolo
- Relief of Penalty
 1. Star Insurance Company, 836611 (STF) 'CF'

There are no items for the following matters:

- G7. Special Taxes Matters – Credits, Cancellations, and Refunds
- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

H. Tax Program Nonappearance Matters – Adjudicatory

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

- H1. Legal Appeals Matters Mr. Angeja
- Cases Heard Not Decided
 1. Andrew Steven Roganson, 538417, 737457 (AC) +
 2. Penryn Lumber Company, 554162 (KH) +
 - Petition for Rehearing
 3. Nirvair Corporation, 529714 (EA) +

There are no items for the following matters:

- H2. Franchise and Income Tax Matters
- H3. Homeowner and Renter Property Tax Assistance Matters
- H4. Sales and Use Taxes Matters
- H5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds
- H6. Special Taxes Matters
- H7. Special Taxes Matters – Credits, Cancellations, and Refunds
- H8. Property Tax Matters
- H9. Cigarette License Fee Matters
- H10. Legal Appeals Property Tax Matters

I. Tax Program Nonappearance Matters(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

- I1. Property Taxes Matters
There are no items for this matter.
- I2. Offer in Compromise Recommendations Mr. Anderson
1. Patricia Salgado Brito
 2. Sam Ath Chao
 3. Gilbert Castillo Martinez
 4. Bang Le Nguyen
 - 5a. Ricardo D. Ramirez
 - 5b. Maria E. Ramirez
- I3. Local Tax Reallocation Matters
There are no items for this matter.

Chief Counsel Matters

There are no items for the following matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes
- M. Other Chief Counsel Matters

Administrative Session

Items that appear under these matters provide information to the Members and may require Board action or direction.

N. Consent Agenda Ms. Richmond
(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

N1. Retirement Resolutions +

- Steven Adams
- Karen Berlin
- Paul Erickson
- Coraleen Grace
- Kristie Holton
- Anita S. Joshi

**N2. Proposed Revisions to Compliance Policy and Procedures Manual
Chapter 5, Returns +**

O. Adoption of Board Committee Reports and Approval of Committee Actions
There are no items for this matter.

P. Other Administrative Matters

P1. Executive Director's Report Ms. Bridges

1. CROS Project Update and Actions Mr. Steen
Progress on the CROS project to replace BOE's two current tax legacy technology systems.

There are no items for the following matters:

P2. Chief Counsel Report

P3. Sales and Use Tax Deputy Director's Report

P4. Property and Special Taxes Deputy Director's Report

1. **Informational report on the 2015 Emergency Telephone Users Surcharge Rate (ETUS) +** Ms. Bartolo
Report on the rate adjustment for calendar year 2015 ETUS as set by the Governor's Office of Emergency Services.

P5. Administration Deputy Director's Report Ms. Murphy

1. Legislative Budget Change Proposals
Information may be provided on the status of Legislative Budget Change Proposals.

There are no items for the following matters:

P6. Technology Deputy Director's Report

P7. External Affairs Deputy Director's Report

Announcement of Closed Session Ms. Richmond

Q. Closed Session

- Q1. Discussion and approval of staff recommendations regarding settlement cases (Rev. & Tax. Code, §§ 6901, 7093.5, 30459.1, 50156.11).
- Q2. Discussion and action on personnel matters (Gov. Code, § 11126(a)).

Announcement of Open Session..... Ms. Richmond

Recess - The meeting will reconvene on Wednesday, October 15, 2014, at 9:30 a.m.

General information regarding Board and Committee Meetings can be found at www.boe.ca.gov/meetings/boardcomm.htm. If you would like specific information regarding items on this Notice and Agenda, please telephone (916) 322-2270 or email: MeetingInfo@boe.ca.gov. Please be advised that material containing confidential taxpayer information cannot be publicly disclosed.

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The hearing location is accessible to people with disabilities. Please contact Rose Smith at (916) 323-9656, or email Rose.Smith@boe.ca.gov if you require special assistance.

Joann Richmond, Chief
Board Proceedings Division

- * Public comment on any committee agenda item will be accepted at the beginning of the committee meeting. Subsequent to committee meetings, committee agenda items may be taken up separately during the Board meeting.
- ** Public comment on any agenda item, other than a Closed Session item or an item which has already been considered by a Board Committee, will be accepted at that meeting.
- + Material is available for this item.
- 'CF' Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.



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C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

C3. [KNA CHO Corporation, 611137, 658121 \(EH\) +](#)

For Petitioner: Sung Lee, Representative
For Department: Scott Lambert, Hearing Representative

C4. [The Wireless Solution Store, 530773 \(FH\) +](#)

For Petitioner: Appearance Waived
For Department: Andrew Kwee, Tax Counsel

~~**C5. [Allied Modular Building Systems, Inc., 506774 \(EA\) +](#)**~~

~~For Petitioner: [Raj Singh, Taxpayer](#)
[Frances Sullivan-Lewis, Representative](#)
[Jim Fier, Representative](#)
For Department: [Andrew Kwee, Tax Counsel](#)~~

~~**C6. [Dastigir G. Omar, 609881 \(EH\) +](#)**~~

~~For Petitioner: [Dastigir G. Omar, Taxpayer](#)
[Linus Amarikwa, Representative](#)
For Department: [Scott Lambert, Hearing Representative](#)~~

C7. [Shri Ranchhod Corporation, 572114 \(EH\) +](#)

For Petitioner: Marc Brandeis, Representative
For Department: Scott Lambert, Hearing Representative

- C8. [Eva Marie Tice, 484005 \(UT\) +](#)
For Claimant: Eva Marie Tice, Taxpayer
For Department: Erin Dendorfer, Tax Counsel
- ~~C9. [PCS Wireless, Inc., 572015 \(EA\) +](#)
For Petitioner: ~~Andrew Mai, Taxpayer~~
~~Hai V. Dang, Representative~~
For Department: ~~Scott Lambert, Hearing Representative~~~~
- C10. [Garo Apo Garabedian, 522650 \(AP\) +](#)
For Petitioner/Claimant: Garo Apo Garabedian, Taxpayer
For Department: Scott Lambert, Hearing Representative

D. Special Taxes Appeals Hearing

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

- D1a. [Felicia Tawil, 594873 \(STF\) +](#)
D1b. [Felicia Tawil, 594874 \(STF\) +](#)
For Petitioner: Waived Appearance
For Department: Pamela Mash, Tax Counsel

Adjourn

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