

STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
INC BUSINESS SECTION J40  
PO BOX 942840  
SACRAMENTO CA 94240-0040

PHONE: (866) 204-7902  
FAX: (916) 855-5646

# NOTICE OF PROPOSED ASSESSMENT

NOTICE DATE: 02/23/2004  
ACCOUNT NUMBER [REDACTED]  
CODE NUMBER: 3  
NPA NUMBER: 04-02536581  
REVENUE CODE: 2003800



NOTICE NUMBER: [REDACTED]

**Filing a Tax Return May  
Reduce Your Tax  
Obligation**

On **12/22/2003** we sent you a notice stating that we had no record of a 2002 California personal income tax return under the name and social security number [REDACTED]. **By 01/21/2004**, you were to do one of the following:

- File a **2002** California personal income tax return.
- If you had already filed the return, send us a copy of it.
- Explain why you do not have a requirement to file a **2002** California personal income tax return.

We have no record of receiving your tax return or information indicating that you do not have a filing requirement. Therefore we are issuing this *Proposed Assessment* based on information we received concerning your income or estimates of income.

**This is a proposed assessment. It is not a tax bill.**

**Filing a tax return may reduce your tax liability, and will ensure that you receive full credit for tax withheld by employers, as well as any other credits, exemptions, and deductions that you have a right to claim.**

Your Income (as estimated)	\$	85,459.00	< See reference sheet page 3 for a breakdown of Your Income (as estimated).
Standard/Itemized Deduction	-	3,004.00	
Taxable Income	=	82,455.00	
Your Tax		5,797.00	
Less Total Exemptions	-	80.00	*
<b>TAX BEFORE CREDITS</b>	=	<b>5,717.00</b>	
Less Withholding Credits Reported to FTB	-	.00	
Less Payments and Credits	-	.00	
<b>Your Tax Liability</b>	<b>\$</b>	<b>5,717.00</b>	
Penalty for Late Filing	+	1,429.25	
Penalty for Failure to File Upon Demand	+	1,429.25	
Interest to: <b>02/23/2004</b>	+	329.48	
Filing Enforcement Fee	+	108.00	
<b>TOTAL TAX, PENALTIES, INTEREST AND FEE</b>	<b>\$</b>	<b>9,012.98</b>	

Unless we receive your tax return or information indicating that you do not have a California filing requirement, this assessment is due and payable **on April 23, 2004**

If you have a California filing requirement, you must file a tax return even if you pay the amount shown above. If you believe this notice is incorrect, follow the enclosed protest procedures. Mail your protest by April 23, 2004. We may provide the information contained in this notice to the Internal Revenue Service.

\* We based the Standard Deduction and Exemption credits indicated above on a single individual with no dependents. We will revise any difference in filing status, additional deductions, exemptions, or credits when you file your required tax return.

<b>IF YOU HAVE ALREADY FILED THE REQUESTED RETURN:</b>	If you have already filed the requested return, please send us a copy of it. If you made a payment along with the return, please send us a copy of both sides of the canceled check or money order.
<b>IF YOU DO NOT HAVE A REQUIREMENT TO FILE A RETURN:</b>	If you believe you do not have a requirement to file a California personal income tax return for the year indicated, or if you disagree with the assessment shown on Page 1 of this notice, <b>you can file a protest with the Franchise Tax Board within 60 days of the date we mailed this notice.</b> Detailed instructions for filing a protest are enclosed.
<b>WHEN YOU FILE YOUR RETURN:</b>	When you file a <b>2002</b> California personal income tax return, we will make the appropriate adjustments to the tax, late filing penalty, failure to file upon demand penalty, interest, and fees that you are required to pay. If you need forms and instructions, call (800) 338-0505 or visit our Website at <b>www.ftb.ca.gov</b> .

**ANSWERS TO FREQUENTLY ASKED QUESTIONS**

**Q: Where can I get the tax forms I need to file?**

**A:** To order tax forms and publications, call our toll-free number (800) 338-0505. The quickest way to get prior and current year tax forms is to visit our Website at **www.ftb.ca.gov**.

**Q: What if I cannot pay the amount due on my return?**

**A:** It is important that you file even if you cannot pay. We will work with you to set up a monthly installment agreement once you file your return. For more information, call (916) 845-4470. You can make credit card payments by calling (888) 2PAY-TAX and entering code 1555.

**Q: I cannot locate my W-2 form. What should I do?**

**A:** If you cannot locate your copy of your W-2 form, contact your employer and ask for a copy to be sent to you. If you cannot obtain a copy, you may report your income on our Substitute for Form W-2 (form FTB 3525). You can get this form on our Website **www.ftb.ca.gov** or by calling our toll-free number (800) 338-0505.

**Q: I am due a refund. Do I still have to file a tax return?**

**A:** Even if you are due a refund, you must file a return if your income was above the minimum income requirement to file.

**Q: There are penalties and interest shown on Page 1 of this notice. How are they calculated, why were they assessed, and will I still receive penalties if I file?**

**A:** If a penalty for **late filing** is shown on page 1 of this notice, we have assessed a penalty for failure to file a return on time. This penalty is 5 % of the tax due, after applying any payments and credits made on or before the original due date, for each month or part of a month the return is late. The maximum penalty is 25 percent. We impose the penalty from the original due date of the return. (For a return that shows a balance due, the minimum penalty for filing a return more than 60 days late is \$100 or 100 percent of the tax due after applying timely payments and credits, whichever is less.) (R&TC Section 19131)

If a penalty for **failure to file upon demand** is shown on page 1 of this notice, we have assessed a penalty for failure to file a return upon notice and demand. **This penalty is 25% of your tax liability prior to any payments or credits. Therefore, you may owe penalty and interest even if your return shows that you are due a refund.** This penalty is in addition to the 25% penalty for failure to file a tax return on time.

We charge a **Filing Enforcement Cost Recovery Fee** if we must take action to enforce income tax filing requirements.

Additional **interest** compounds at the rate prescribed by law, from the date of this notice to the date we receive your payment. You will pay no additional interest if we receive your payment in full within 15 days of the date we mailed this notice. Filing a protest or appeal will not stop the compounding of interest.

**TELEPHONE AND INTERNET ASSISTANCE**

From within the United States, call ..... (800) 852-5711  
 From outside the United States, call (not toll-free) ..... (916) 845-6500

Website at: **www.ftb.ca.gov**

**Assistance for persons with disabilities:** We comply with the Americans with Disabilities Act. Persons with hearing or speech impairments please call TTY/TDD (800) 822-6268.

# Quick Resolution/Protest Worksheet

Listed below are three of the most common responses to our Notice of Proposed Assessment. If one of these responses reflects your situation, you can save time by checking the appropriate box, following the instructions for that box, and returning this form to us in the enclosed envelope. If none of these responses reflect your situation, please follow the protest protest procedures enclosed.

Please be sure to include your name, social security number, signature, date, and daytime phone number in the spaces provided. Your phone number will help us contact you if we need additional information.

**Remember-** If you check the third box, you must return this form to us within 60 days of the date we mailed this notice.

**I am filing the required tax return.**

Enclose your completed, signed **2002** California personal income tax return. When we process your return, we will withdraw our assessment and make the appropriate adjustments to the tax, penalties, interest, and fees you owe. You will receive a notice reflecting the revised balance due on your account (if any) within 4-6 weeks of our receipt of your return. If you cannot pay the balance due at that time, you can arrange an installment agreement by calling us at (916) 845-4470.

**I already filed the required return. I am enclosing a copy of it.**

Enclose a complete, signed copy of your **2002** California personal income tax return. If you made a payment with your return, send us a copy of the front and back of the canceled check, canceled money order, or other form of payment.

If we already processed your original tax return, we will withdraw our proposed assessment and advise you accordingly. If we cannot locate your original tax return we will process the copy of your return as an original. We will notify you about the revised balance due on your account (if any) within 4-6 weeks of our receipt of your return.

**I do not agree with the proposed assessment and wish to protest it.**

Please explain why you believe you do not have a requirement to file a **2002** California personal income tax return. If your explanation requires additional space, please attach the additional pages to this resolution worksheet.

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**SIGNATURE:** \_\_\_\_\_ **SSN:** [ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

**PRINT NAME:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**DAYTIME PHONE NUMBER:** [ ][ ][ ] - [ ][ ][ ] - [ ][ ][ ][ ]

For Privacy Notice, get form FTB 1131.

# Income Reference Sheet

NOTICE DATE: 02/23/2004  
ACCOUNT NUMBER: [REDACTED]  
CODE NUMBER: 3  
NPA NUMBER: 04-02536581

## "Your Income (as estimated)"

The following is a breakdown of "Your Income (as estimated)" shown on Page 1 of this notice. It may include actual dollar amounts that were reported as paid to you, as well as estimates of your income. When we use estimates for your income, we provide an explanation of how we calculate it.

**Wages** Your employer reported that you earned wages in California during 2002. The name of each employer and amount reported are:

PENSCO PENSION SERVICES, INC	\$ 85,459.00
<b>Subtotal \$85,459.00</b>	

**TOTAL USED FOR "YOUR INCOME (as estimated)": \$85,459.00**

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***Sovereignty Education and Defense Ministry  
(SEDM) Website***

<http://sedm.org>

