

DIVISION OF TAX APPEALS

MISSION

The Division of Tax Appeals provides taxpayers with a system of due process for resolving disputes with the Department of Taxation and Finance. The separation of tax administration from tax adjudication promotes the impartial and timely hearing of taxpayer disputes.

ORGANIZATION AND STAFFING

The Division of Tax Appeals is headed by the Tax Appeals Tribunal, which is comprised of three commissioners appointed by the Governor and confirmed by the Senate. Under the direction of the Tax Tribunal, dispute adjudication is provided through small claims hearings, formal hearings and the Tribunal appeals process. The Division holds formal hearings in Troy, New York City and Rochester, while Tax Tribunal oral arguments are held in New York City, Buffalo and Troy. Small claims hearings are conducted throughout the State.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$3.4 million All Funds** (\$3.4 million General Fund) for the Division of Tax Appeals. This net decrease of **\$150,000** from the 2008-09 budget reflects reductions in employee costs and savings in nonpersonal service expenditures. The Executive Budget recommends a staffing level of **30 FTEs**, a decrease of 1 FTE from the 2008-09 budget. This decrease reflects the impact of the statewide hiring freeze, implemented by the Executive in July of 2008.

PROGRAM HIGHLIGHTS

The Division's hearing process has been substantially improved in recent years to benefit taxpayers. These improvements have allowed taxpayers more flexibility in scheduling hearings, thus minimizing delays caused by sudden cancellations.

The Division also conducts formal hearings in New York City and Rochester to provide easier access for taxpayers in these metropolitan areas. At these locations, the Division utilizes existing State office space, thus providing improved service at nominal additional cost.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2008-09	Appropriations Recommended 2009-10	Change	Reappropriations Recommended 2009-10
State Operations	3,503,000	3,353,000	(150,000)	0
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>3,503,000</u>	<u>3,353,000</u>	<u>(150,000)</u>	<u>0</u>

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ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

Program	Full-Time Equivalent Positions (FTE)		
	2008-09	2009-10	FTE Change
	Estimated FTEs 03/31/09	Estimated FTEs 03/31/10	
Administration			
General Fund	31	30	(1)
Total	31	30	(1)

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2008-09	Recommended 2009-10	Change
General Fund	3,503,000	3,353,000	(150,000)
Total	3,503,000	3,353,000	(150,000)
Adjustments:			
Transfer(s) From			
Special Pay Bill			
General Fund	(230,000)		
Appropriated 2008-09	3,273,000		

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2008-09	Recommended 2009-10	Change
Administration			
General Fund	3,503,000	3,353,000	(150,000)
Total	3,503,000	3,353,000	(150,000)

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2009-10 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	2,906,000	(130,000)	2,896,000	(130,000)
Total	2,906,000	(130,000)	2,896,000	(130,000)
Temporary Service (Nonannual Salaried)				
Program	Amount	Change		
Administration	10,000	0		
Total	10,000	0		

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STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2009-10 RECOMMENDED
(dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	447,000	(20,000)	33,000	(2,000)
Total	447,000	(20,000)	33,000	(2,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	24,000	(1,000)	313,000	(14,000)
Total	24,000	(1,000)	313,000	(14,000)

Program	Equipment	
	Amount	Change
Administration	77,000	(3,000)
Total	77,000	(3,000)