



# FIONA MA, CPA

Chairwoman, California State Board of Equalization  
District 2

## Message from Chairwoman Ma:

*April is upon us, and that means there's only a few weeks left to get your federal and state taxes completed. This year, Federal and State taxes are due on Monday, April 18th. We all get three extra days to file taxes—so make sure you take the extra time and double check for deductions and credits, like California's new Earned Income Tax Credit—that can save you money and make your refund bigger.*

*April is also a busy month in Sacramento, as bills start flying through Legislative Committees. As a former Assemblymember, I can tell you that the Legislative Process is a hurdle race, and some very good bills are about to clear their first hurdle. Assemblymember Cristina Garcia's Tampon Tax Exemption Legislation, Assemblymember Bill Dodd's BOE Campaign Finance Reform Bill and Senator Mark McGuire's Cannabis Excise Tax are just a few of the many issues I will be working on with my former colleagues as the committee process ramps up through the spring and summer.*

*Finally, I want to update you on Lake County's recovery from the Valley Fire last year. Dozens of businesses and homes were destroyed and thousands of acres burned. Six months later, the land may still be scarred, but our spirits are healing. The outpouring of support—in the forms of donations and fundraisers and even disaster relief legislation in the Assembly—has been tremendous, and it is helping our entire community recover. I am deeply grateful for the firefighters who put out the flames, and the people from all over our state who have opened their hearts and their wallets to help Lake County in this hour of need.*

*As always, if I can be of service, please feel free to call me and members of my team at (415) 557-3000 or email me at [fiona.ma@boe.ca.gov](mailto:fiona.ma@boe.ca.gov). We look forward to hearing from you.*

*In Peace and Friendship,*

A handwritten signature in black ink, appearing to be 'Fiona Ma'.

Fiona Ma, CPA

## Table of CONTENTS

- Message from Chairwoman. . . . . 1
- Fuel Consumption Facts. . . . . 2
- Tax Tip: Resale Documenting. . . . . 2
- Ag Against Hunger . . . . . 3
- Healthcare Coverage Extension . . . 3
- Refund Status. . . . . 3
- Head of Household . . . . . 3
- Plantel Nurseries. . . . . 4
- Curry Without Worry. . . . . 4
- Top 12 Tax Scams . . . . . 5
- Dangerous Toys. . . . . 6
- Happy Birthday. . . . . 7
- Rancho Cucamonga Office . . . . . 7
- VITA Sites . . . . . 8
- On the Road. . . . . 9
- Upcoming Events . . . . . 10
- Social Media . . . . . 10
- Thank You for Your Support . . . . 10

## Fuel Consumption Facts

Still going up for a fourth week. Regular is higher than last week's price by several cents. The average price in California for regular gasoline increased 8.5-cents from the previous week. The average statewide price for regular was \$2.681. Mid-grade and premium prices increased as well. The national average for self-serve regular is at \$2.007, up 4.6 cents from the previous week. This is 67.4 cents lower than the price of regular in California.

(Source: <http://energyalmanac.ca.gov/gasoline/>)

## TAX TIP: Documenting Sales for Resale

If you sell tangible personal property for resale, the transaction is presumed subject to sales or use tax unless the sale is properly documented with a resale certificate. The resale certificate must be valid and taken on a timely basis. It must include ALL of the following information in order to valid:

- The name and address of the purchaser.
- The number of the seller's permit held by the purchaser. *NOTE: If the purchaser is not required to hold a permit because of the type of property it sells, instead of a seller's permit number, the purchaser must include on the certificate an explanation stating why it is not required to hold a seller's permit.*
- A description of the property to be purchased.
- A statement that the described property is being purchased for resale. The certificate must contain words that state the "property will be resold" or "is for resale". The use of words such as "nontaxable" or "exempt" or similar terms are not acceptable.
- The date of execution of the document.
- The signature of the purchaser or someone approved to act in his or her behalf.

*NOTE: A copy of a seller's permit cannot be used in lieu of a resale certificate. Resale certificates, as well as all other records, must be maintained for at least four years. If your records are being audited by the BOE, you should retain all records for the period being audited until the audit is completed or an appeal is resolved.*

### Verifying a Seller's Permit:

When accepting resale certificates, the seller's permit should be verified as being valid. There are three ways to verify the validity of a seller's permit:

- Select the Verify a Permit or License feature on the BOE's homepage.
- Call the BOE's automated toll-free number at 1-888-225-5263, available 24 hours a day, seven days a week.
- Use the BOE's free mobile application to verify a permit or license from the convenience of your smart phone.

As a seller, you should always note the general character of the purchaser's business. If the nature of the business is such that the property purchased would not normally be resold, you should question the use of the certificate. For example, a resale certificate describing the business as a service station should not be accepted for the purchase of a sofa or similar item not regularly sold by service stations.

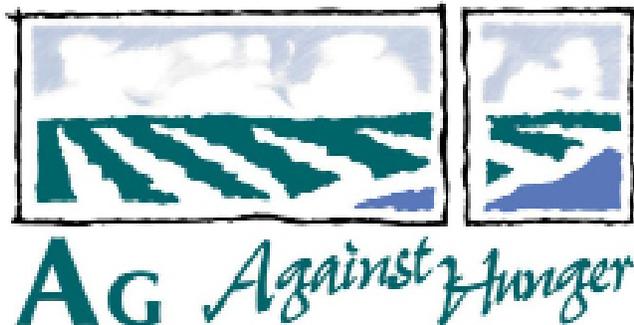
You should not accept a resale certificate from a purchaser if they will:

- Use the product rather than sell it,
- Use the product in their business before they sell it,
- Use the product for a personal purpose, or
- Hold the product as an investment for appreciation in value and for sale in the future.

### Additional Resources:

- Using a Resale Certificate - Frequently Asked Questions: <https://www.boe.ca.gov/sutax/faqresale.htm>.
- Publication 103, Sales for Resale: <https://www.boe.ca.gov/formspubs/pub103/>.
- Regulation 1688, Sales for Resale: <https://www.boe.ca.gov/lawguides/business/current/btlg/vol11/sutr/1668.html>.
- Form BOE-230, General Resale Certificate: <https://www.boe.ca.gov/pdf/boe230.pdf>.
- Verify a Permit, License, or Account: <https://efile.boe.ca.gov/boewebservices/verification.jsp?action=SALES>

## Ag Against Hunger Feeds the Hungry



For the past 25 years, the growers, shippers, and processors of the Salinas Valley have chosen Ag Against Hunger as their conduit to channel over 245 million pounds of fresh surplus fruits and vegetables to food banks and schools.

Ag Against Hunger was established in 1990 when their founders realized that thousands were suffering from food insecurity. At the time, 20% of the produce grown went to waste, either being thrown away or tilled back into the soil. Ag Against Hunger channels an average 12 million pounds of produce each year to 18 California food banks, 7 food banks throughout the United States, and local schools.

When Ag Against Hunger's produce partners have a surplus of fresh produce, they contact the organization to schedule pick up and consolidation. The produce is then distributed, first, to local food banks and schools, then to food banks throughout California, and, finally, to food banks across the country. These food banks distribute this produce to countless food assistance programs within their communities

Ag Against Hunger provides a win-win situation for the agricultural industry, the community, food banks, schools, the environment, and the hungry. Visit their website at [www.agagainsthunger.org](http://www.agagainsthunger.org).

### New Head of Household (HOH) Schedule

Beginning this year, to qualify for HOH status, taxpayers must complete and attach to their tax returns FTB Schedule 3532 ([https://www.ftb.ca.gov/forms/2015/15\\_3532.pdf](https://www.ftb.ca.gov/forms/2015/15_3532.pdf)), Head of Household Filing Status Schedule. The new schedule helps taxpayers determine if they qualify for HOH filing status.

### Extended Due Dates for Reporting Healthcare Coverage

The IRS has extended the due date to March 31 for employers to provide workers with two 2015 IRS tax forms: 1095-B, Health Coverage and 1095-C, Employer Provided Health Insurance Offer and Coverage. Accordingly, taxpayers can file returns using health insurance information from other sources and are not required to amend their returns if they file before receiving these forms.

For more information go to [www.irs.gov/aca](http://www.irs.gov/aca) or see Notice 2016-4 (<https://www.irs.gov/pub/irs-drop/n-16-04.pdf>).

### Check the Status of Your FTB Refund



Taxpayers can check on the progress of their refunds (<https://www.ftb.ca.gov/online/refund/index.asp>) in Spanish or English at [www.ftb.ca.gov](http://www.ftb.ca.gov) or download the FTB Refund Mobile App available for iPhones.

Generally, taxpayers who file electronically and set up direct deposit can expect the refund to be issued in seven to 10 business days. For those who file paper returns, the refund can take two to three months, depending on the time of year.

## SBOE Chairwoman Fiona Ma Honors Plantel Nurseries

Speaking before a packed house at the annual Farm Bureau Leaders Conference, Chairwoman Fiona Ma, presented Plantel Nurseries with her Equalizer Award, presented to businesses that set the standard for cutting edge sustainability practices.



“Plantel Nurseries is a thriving operation that has an amazing impact in California’s agriculture industry, and helping farmers use less water and fertilizer while growing more crops,” said Chairwoman Ma. “Plantel’s business model is a great example of innovative thinking that is strengthening our economy, creating jobs, and building a greener, more sustainable economy for California.”

Plantel Nurseries specializes in growing and selling seedlings to farmers that can be planted directly into the ground. By utilizing this method, Plantel is capable of producing up to 200 seedlings per square foot, as opposed to a traditional one plant-per-square-foot metric used by farmers who seed their fields directly. Plantel’s business model saves the farmer a month of growing time, while also dramatically lowering the water and fertilizer requirements for the farmer.

Plantel’s operations reflect their core philosophy of sustainable, low impact agriculture. Their state-of-the-art facility incorporates the latest in water reclamation and low-energy usage technology. Irrigation runoff water is directed to a water recycling system, which then goes through a 3 stage filtration process that sterilizes the water and pumps it into large storage tanks for reuse. In addition, Plantel makes extensive use of captured rainwater. During a storm event, water is directed to a retention basin that mimics a vernal pool that serves as biological habitat for many species of amphibians. In addition, the retention basin serves as a water recharge basin providing much needed groundwater recharge to the area.

### Nonprofit Spotlight: Curry Without Worry



Every Tuesday at 5:30 p.m., rain or shine, a group of volunteers plant their bright orange tents at the United Nations Plaza in San Francisco and serve authentic Nepalese “soul pleasing food.” Curry Without Worry, an 501(c)(3) organization founded and run by Mr. Shrawan Nepali, a former accountant, controller and restaurateur, who can usually be seen at the venue entertaining the crowds while playing his Nepali musical instruments.

Since December 2006, the non-profit has served over 245,000 meals, with the help of more than 8000 volunteers over the course of these years. Mr. Nepali, a Nepalese who has been living in San Francisco for two decades, counts on his core team of friends and volunteers to ensure daily operation of the organization. Efforts such as these also help ensure to address the problem of hunger in San Francisco.

Curry Without Worry has also established an International Chapter in Kathmandu, where they played a crucial role in ensuring food delivery to victims of the earthquake in Nepal and to the volunteers who helped with the post disaster recovery work. The organization is an all volunteer run non-profit. For more information, visit [www.curryworry.org](http://www.curryworry.org).

## Don't Fall Victim to These Top Twelve Tax Scams



1. *Identity Theft* - This can occur when a person knowingly transfers or uses, without lawful authority, the identification of another person with the intent to commit any lawful activity.
2. *Tax Return Preparer Fraud* - Some tax preparers prey on unsuspecting taxpayers or promise guaranteed or inflated refunds and base their fee on your refund amount. The IRS now requires an issued Preparer Tax Identification Number for each tax preparer to reduce fraud.
3. *Frivolous Arguments* - Frivolous scam promoters encourage you to make unreasonable and outlandish claims to avoid tax liabilities.
4. *Tax Shelters* - The purpose is merely to reduce taxes. You are ultimately responsible for paying the correct amount of tax and any applicable interest and penalties.
5. *Offshore Accounts* - By hiding income in offshore banks, brokerage accounts, or nominee entities using bank cards is considered evading taxes. Taxpayers who maintain offshore accounts and do not comply with tax reporting requirements are considered to be breaking the law and are at risk for significant penalties and fine, as well the possibility of criminal prosecution.
6. *Phishing* - Phishing is normally carried out with the help of unsolicited email or a fake website to lure and prompt potential victims to surrender valuable personal and financial information.
7. *Misleading Letters* - The letters originate from a variety of sources and the letter cites various corporation codes and request completion and submission of a form along with a fee amount, and implies that failure to reply can suspend your entity's powers, rights, and privileges.
8. *Moving a Business Out of State* - Tax-planning advisors and promoters mislead business entities doing business in California to form in a state, such as Nevada, that has no income tax or franchise tax to avoid California income taxes.
9. *Disguised Corporate Ownership* - Domestic shell corporations and other entities are formed and operated in certain states to disguise business or financial activity ownership.
10. *Trust Misuse* - Taxpayers for years have been urged to transfer assets into trusts. While there is legitimate trust uses for tax and estate planning, some questionable transactions promise taxable income reduction.
11. *False Form 1099 Refund Claims* - Do not fall into the trap of claiming deductions or credits you are not entitled to claim or allow others to file false returns with your information. You may face financial penalties or even criminal prosecution.
12. *Charitable Organizations and Deductions Abuse* - This includes arrangements that improperly shield income or assets from taxation when the donor maintains control of donated property and where several organizations claim the full value of the same noncash donation.

### Report Suspected Tax Fraud

Website: [www.ftb.ca.gov](http://www.ftb.ca.gov)

Phone: (800) 540-3453 8:00 a.m. to 4p.m. weekdays,  
except state holidays.

## 30th Annual Survey Finds Dangerous Toys in Store Shelves

Dangerous or toxic toys can still be found on America's store shelves, according to U.S. PIRG Education Fund's 30th annual Trouble in Toyland report.



Key findings from the report include:

- Toys with high levels of toxic substances are still on store shelves. We had chemical testing done at a lab which is accredited by the Consumer Product Safety Commission (CPSC).
- Fun Bubbles jump rope from Dollar Tree which had 10 times the legal limit of the banned phthalate DEHP (tested at 10,000 ppm), and also had 190,000 ppm of the toxic phthalate DIBP which has not yet been banned. However, the CPSC has proposed a rule which has not been finalized that would add DIBP to the list of banned phthalates.
- Found high levels of the heavy metal chromium in three toys. The high content of chromium in the products we found doesn't necessarily mean that they violate the law. We believe it is a cause for concern, and we call on the CPSC to do further testing.
- CPSC has recalled some toys for lead violations this year, our tests did not find any. We believe this is a sign of progress, but this does not mean that lead cannot be found in other toys.
- Despite a ban on small parts in toys for children under the age of three, we found toys available in stores that still pose choking hazards. We found a fairy wand from Dollar Tree that has small parts that easily break off, but was not labeled as a choking hazard.
- Inadequate warning labels in the Disney Pixar Cars Riplash Racers and Disney Planes from Marshalls, G2 Air Mini Football and a Disney Finding Nemo Dory figurine from Five Below, and a Nickelodeon Mermaid Dora the Explorer from Target. These products may have labels suitable for foreign countries, but they were not sufficient to meet U.S. standards.
- Small balls pose a hazard for young children who are inclined to put objects in or near their mouths. We found Magic Towels packaged as a small baseball and a small football at Dollar Tree which did not have the appropriate small ball warning label.
- Balloons pose the most serious choking hazard to children in the U.S. All of the balloon packages we found did include the required warning label reading that children under eight can choke on balloons and balloon parts. However, we found three balloon sets from Party City which included a second, confusing label indicating that the products are for children ages three and older: the Balloon Animal Kit, Mega Value Pack 16 Latex Punch Balloons, and Mega Value Pack 12 Water Bomb Packs.
- Found toys that are potentially harmful to children's hearing. We found the Vtech Go! Go! Smart Wheels, Vtech Go! Go! Smart Animals, Vtech Spin & Learn Color Flashlight, Fisher Price Click n Learn Remote, and Leap Frog Fridge Phonics Magnetic Letter Set from Target that, while they don't violate federal standards, were found to be extremely loud at the ear and at a distance.
- Found small, powerful magnets that pose a dangerous threat to children if swallowed. We found Sizzlers noise magnets from Family Dollar, and Singing magnets from Dollar Tree that are "near-small-parts" which, while they don't violate federal standards, are small enough to be swallowed and can cause severe internal damage.

###

*U.S. PIRG (Public Interest Research Group) Education Fund ([uspirgedfund.org](http://uspirgedfund.org) is an independent, non-partisan group that works for consumers and the public interest. Through research, public education and outreach, we serve as counterweights to the influence of powerful special interests that threaten our health, safety, or well-being.*

### Happy Birthday SBOE D2 Staffs

Apr. 1	Ray	Sanguinetti
Apr. 7	Maria	Cornwell
Apr. 8	Gloria	Quiroz
Apr. 10	Jingmin	Yang
Apr. 11	Suzanne	Crutison
Apr. 20	Salvador	Ordonez
Apr. 30	Janice	Lai



### New SBOE Rancho Cucamonga Office to Serve Inland Empire Businesses



The Board of Equalization held a grand opening for its new district office located in Rancho Cucamonga on Thursday March 10, 2016. The office offers free parking and convenient access to freeways and public transportation.

The new taxpayer center services over 30,000 accounts with its present staff of 61. Revenue collected through the SBOE’s tax and fee programs support schools, hospitals, police, roads and a host of other essential services. The 14,342 square-foot center features four self-service kiosks which allow taxpayers to complete transactions and make payments. An electronic queuing system significantly reduces wait times, according to the Board of Equalization.

“It’s a challenge for small businesses in the State of California, and our goal is to work with them, to assist them in the process, to help entrepreneurs understand and know what they need to be filing, and to file it correctly,” said Member George Runner. “We want them to be successful. We don’t want them to get hung up on the details of taxes.”

“This new office will allow the BOE to address the growing economy in the Inland Empire and provide professional tax services to business owners.” said Chairwoman Ma.

The Inland Empire region gained 51,500 new jobs between 2009 and 2014, or a 6 percent increase, according to state labor statistics.

## LAST FEW WEEKS LEFT - Find a United Ways VITA Site Now!

For a list of United Way Volunteer Income Tax Assistance programs serving District 2, please see below. United Way also provides free online tax preparation for both federal and state income tax returns at <http://www.unitedway.org/myfreetaxes>. The MyFreeTaxes program provides households with income up to \$62,000 with special free access to tax filing software from H&R Block. Board Member Ma's VITA website also includes information on VITA locations and information - <http://www.boe.ca.gov/ma/vita.htm>.

### United Ways District 2 VITA sites this tax season:

**United Way of the Bay Area**

(800) 358-8832

<http://earnitkeepitsaveit.org/>

**United Way Monterey County**

(831) 372-8026

<http://www.unitedwaymcca.org/>

**Northern Santa Barbara County United Way**

(805) 922-0329

<http://www.liveunitedsbc.org/>

**United Way of San Luis Obispo**

(805) 541-1234

<http://www.unitedwayslo.org/>

**United Way of Santa Cruz County**

(831) 479-5466

<http://www.unitedwaysc.org/>

**United Way Silicon Valley**

(408) 345-4300

<http://www.uwsv.org/>

**United Way of the Wine Country**

(707) 528-4485 (Sonoma County)

(707) 528-4485 (Lake County)

(707) 367-2915 (Mendocino County)

(707) 443-8637 (Humboldt/Del Norte Counties)

<http://www.unitedwaywinecountry.org/eitc>



**United Ways of California**

United Ways of California improves health, education and financial stability results for low income children and families by enhancing and coordinating the community impact work and advocacy of over 30 California United Ways. Individually and together, California's United Ways build a stronger California by mobilizing our communities' public, private and non-profit sectors through community engagement, public policy advocacy, research and results-based funding.

[www.unitedwaysca.org](http://www.unitedwaysca.org)

### Board Member Ma & Staff on the Road



Joining forces with State Controller Betty Yee, San Francisco Treasurer Jose Cisneros, and Asian Inc. President Michael Chan to promote VITA and recognize the dedicated volunteers



With Santa Cruz Assessor Recorder Sean Saldavia



With San Benito County Assessor Tom Slavich



On air with media maven Barbara Rodgers on their Newsmakers segment



With SBOE Member George Runner talking about taxes



Spending time with high school students at the Nevada County Fairgrounds



Congratulations to newly elected Honorable Anthony Rendon, the 70th Speaker of the California State Assembly! With former Speakers John A. Perez and Congresswoman Karen Bass



Cutouts at the Maritimes Trades Port Council luncheon

## Upcoming Events:

### ***Caleitc4Me Bus Tour - North Hollywood***

Saturday, April 10, 9:00am - 1:00pm  
Hollywood Family Source Center  
North Hollywood, LA County

### ***Small Business & Resources Seminar***

Wednesday, April 13, 9:00am to 3:00pm  
Ulatis Cultural Center  
1000 Ulatis Drive, Vacaville, CA 95687  
Register at: [www.boe.ca.gov/ma/events](http://www.boe.ca.gov/ma/events) or  
call 1-888-847-9652

### ***Caleitc4Me Bus Tour - Modesto***

Saturday, April 16, 10:00am - 2:00pm  
Family Safety Fair- Downtown  
Modesto, Stanislaus County

### ***Nonprofit, Faith Based and Exempt Org. Seminar***

Tuesday, April 19, 9:00am to 2:30pm  
Brentwood Community Center  
35 Oak Street, Brentwood CA 94513  
Register at: [www.boe.ca.gov/ma/events](http://www.boe.ca.gov/ma/events) or  
call 1-888-847-9652

### ***Chinese Basic Sales and Use Tax Seminar***

Tuesday, April 19, 1:00pm - 4:00pm  
250 South Second Street, San Jose, CA 95113  
Auditorium on 1st floor  
Email [qian.zhou@boe.ca.gov](mailto:qian.zhou@boe.ca.gov) or call (408) 421-8903 to  
RSVP

### ***California Small Business Expo***

Monday, May 2, 9:00am - 4:30pm  
Ronald M. George State Office Complex  
Milton Marks Conference Center  
455 Golden Gate Avenue, San Francisco, CA 94102  
More information will be posted on  
[www.boe.ca.gov/ma/events](http://www.boe.ca.gov/ma/events)

**\*\*\* Walk-ins are welcome. Registration is not mandatory to attend unless specifically noted. Events may be televised by a non-government agency**

## Newsletter Subscription

If you are interested in receiving a digital copy of my monthly newsletter straight to your inbox, please subscribe at this link:

<http://www.boe.ca.gov/ma/newsletters/>

## Thank You for Your Support

If you have a tax or fee problem, or have difficulty understanding the complexity of tax laws in California, my office can help provide you with assistance and resources. Email me directly at [fiona.ma@boe.ca.gov](mailto:fiona.ma@boe.ca.gov) or call my offices in Sacramento at (916) 445- 4081 or in San Francisco at (415) 557- 3000.

In addition, if you want to view some of the Board decisions or watch us live at the monthly Board hearings, please access [www.boe.ca.gov](http://www.boe.ca.gov) and choose the webcast option under Board Hearings.

Representing the interests of taxpayers in a district of more than nine million Californians in 23 counties, I will ensure that the agency treats all taxpayers with respect and dignity. As your SBOE representative, I will continue to ensure that taxpayers are being heard in Sacramento. It is truly an honor to serve you.

## Board Member Ma on Social Media



[@FionaMa](https://twitter.com/FionaMa)



[www.facebook.com/CA.FionaMa](https://www.facebook.com/CA.FionaMa)



[www.linkedin.com/in/fionamacpa](https://www.linkedin.com/in/fionamacpa)



[www.boe.ca.gov/MA](http://www.boe.ca.gov/MA)

[@CA BOE News](#)

[#CABOE](#)

*Disclaimer: This material has been prepared for general informational purposes only and may not reflect the most current legal developments. These informational materials are not intended, and should not be taken, as legal advice and are subject to change without notice.*