



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
SEN. GEORGE RUNNER (RET.)
Second District, Lancaster
MICHELLE STEEL
Third District, Rolling Hills Estates
JEROME E. HORTON
Fourth District, Los Angeles
JOHN CHIANG
State Controller
KRISTINE CAZADD
Executive Director

STATE BOARD OF EQUALIZATION MEETING
5901 Green Valley Circle, Room 207, Culver City
July 24-26, 2012
NOTICE AND AGENDA
Meeting Agenda (as of 12:00 PM, 7/26/12)

[Agenda Changes](#)

[Webcast on Tuesday, July 24, 2012](#)

Tuesday, July 24, 2012

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. David Du Tran and Thuyen Thi Tran, 547815 +](#)

For Appellants: David Du Tran, Taxpayer
Kim Le, Representative
For Franchise Tax Board: Sonia Deshmukh, Tax Counsel
Michael Cornez, Tax Counsel

[B2a. William Justice and Lisa Blinderman, 573575 +](#)

[B2b. Michael L. Panek and Tracy Panek, 585508 +](#)

[B2c. David Sterling, 585513 +](#)

[B2d. Mark Cronin and Lois Cronin, 586117 +](#)

For Appellants: Rodney Guarino, Representative
For Franchise Tax Board: Shail Shah, Tax Counsel
Maria Brosterhous, Tax Counsel

~~[B3. JK Group, LLC, 448306 +](#)~~

~~For Appellant: James I. Cozen, Representative
Edwin P. Antolin, Representative
For Franchise Tax Board: Todd Watkins, Tax Counsel
Michael Cornez, Tax Counsel~~

- B4. [Manik R. Bose and Devika Bose, 574066 +](#)
For Appellants: Manik R. Bose, Taxpayer
Erica Brinitzer, Representative
For Franchise Tax Board: Nancy Parker, Tax Counsel
Karen Smith, Tax Counsel
- ~~B5. [Yolanda Molina and Alejandro Molina, 553853 +](#)
For Appellants: ~~Yolanda Molina, Taxpayer~~
~~Richard Page, Representative~~
For Franchise Tax Board: ~~Jaclyn Appleby, Tax Counsel~~
~~Karen Smith, Tax Counsel~~~~
- B6. [Daniel R. Marcotte, 589131 +](#)
For Appellant: Daniel R. Marcotte, Taxpayer
Chris McDowell, Witness
For Franchise Tax Board: Kristen Magers, Tax Counsel
Natasha Page, Tax Counsel
- B7. [Robert C. Johnson and Ruby B. Johnson, 574843 +](#)
For Appellants: Robert Johnson, Taxpayer
Ruby Johnson, Taxpayer
Alex Zynan, Representative
For Franchise Tax Board: Natasha Page, Tax Counsel
Suzanne Small, Tax Counsel
- B8. [Will C. Jamison and Lynette P. Jamison, 576614 +](#)
For Appellants: Joseph Fleishon, Representative
Matt Stein, Representative
For Franchise Tax Board: Sonia Deshmukh, Tax Counsel
Michael Cornez, Tax Counsel
- B9. [Irene C. Tritz, 592022 +](#)
For Appellant: Irene Tritz, Taxpayer
For Franchise Tax Board: Raul Escatel, Tax Counsel
Bill Hilson, Tax Counsel
- B10. [Ruby Jeffery, 595546 +](#)
For Appellant: Appearance Waived
For Franchise Tax Board: Jaclyn Appleby, Tax Counsel
Karen Smith, Tax Counsel
- ~~B11. [Shin P. Yang and Connie L. Deng, 589501 +](#)
For Appellants: ~~Shin P. Yang, Taxpayer~~
For Franchise Tax Board: ~~Marguerite Mosnier, Tax Counsel~~
~~Diane Ewing, Tax Counsel~~~~
- B12. [Levern Staples, 589098 +](#)
For Appellant: Levern Staples, Taxpayer
For Franchise Tax Board: Nancy Parker, Tax Counsel
Karen Smith, Tax Counsel

C. Sales and Use Tax Appeals Hearings

These items are scheduled for Wednesday, July 25, 2012, and Thursday, July 26, 2012.

There are no items for the following matters:

- D. Special Taxes Appeals Hearings
- 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 MattersMr. Levine

- Hearing Notices Sent – No Response
 1. P.D.S., Inc., 512220 (EA)
 2. Steve William Nolan, 523275 (EH)
 3. Sevan Derohanian, 530164 (AC)
 - 4a. ~~Saad Dawood Pattah, 479619 (FH)~~
 - 4b. ~~Annand Nadir Sliuman, 475771 (FH)~~
 5. Ram Milo, 491197 (AS)
 6. Mark Garduno, 358093, 418990 (EA)
 7. Legend Labels & Card Printing, Inc., 521219 (FH)
 8. Cathy L. Rowland Cooley, 547366 (UT)
 9. Nicola's Nightclub, Inc., 528280, 528699 (AA)
 10. Ben A.B.F., Inc., 533735 (AP)
 11. V.91., Inc., 529709 (EH)
 12. Godwin Emonena Abodoh, 528671 (EH)
 13. Keith Robert Smith, 461729, 483158 (FH)
 14. HD Media, Inc., 491768 (AP)
 15. AAF Business Corporation, 530437 (AS)
 16. ~~Sharon E. Melamed, 516151 (AS)~~
 17. Quick Trip, Inc., 493394 (FH)
 18. Asanti Fine Jewellers, LTD., 441235 (AP)
 19. Rubidou Enterprises, Inc., 549959, 573163 (EH)
 20. All Out Of, Inc., 533725 (EH)
 21. Raza Mahmud, 528594, 528659 (AA)
 22. Union Station Venture One Corp., 512063, 515151 (AA)
 - 23a. TJ Fresh Baja Grill, 521238 (EH)
 - 23b. Ramon De Lao and Elvia O. De Lao, 521437 (EH)
 - 23c. Ramon De Lao and Martha E. Hernandez, 521056 (EH)
 - 23d. Javier Orozco Mendoza and Ramon De Lao, 521059 (EH)
 - 23e. Javier Orozco Mendoza and Ramon De Lao, 521057 (EH)
 - 23f. Javier Orozco Mendoza, Ramon De Lao and Martha E. Hernandez, 521058 (EH)
 - 23g. Javier Orozco Mendoza and Ana R. Mendoza, 521438 (EH)
 24. Gabriel Ocampo, 525172 (EA)

- Petitions for Release of Seized Property
 25. Manjeet Singh Bedi, 607229 (ET)
 26. Raj K. Narayan and Maya Wati Narayan, 608497 (ET)

- G2. Franchise and Income Tax Matters Mr. Epolite
 - Decisions
 1. Robert L. Blair and Cheryl L. Blair, 520199, 523715
 2. Cleanright Enterprise, Inc., 563988
 3. Rodney L. Davis, 569025
 4. John M. Fleischman (Deceased), 557364
 5. James A. Gregoline, 554339
 6. Judith L. Heavens, 552473
 7. Nasser Nouri and Azadeh Sadatshirazi, 556547
 8. Don Patino, 547510
 9. Tsegie G. Woldezechhi, 511615

- G3. Homeowner and Renter Property Tax Assistance Matters
There are no items for this matter.

- G4. Sales and Use Taxes MattersMr. McGuire
 - Redeterminations
 1. Panasonic Corp. of North America, 575617 (OH)
 2. Castle B., Inc., 535063 (KH)
 - Relief of Penalty/Interest
 3. Univar USA, Inc., 608558 (OH)
 4. Carmax Auto Superstores California, LLC, 608088 (OH)
 - Denials of Claims for Refund
 5. Mainline Information Systems, Inc., 475407 (OH)
 6. Mullen Bros., Inc., 496732 (AC)

- G5. Sales and Use Taxes Matters – Credits, Cancellations,
and RefundsMr. McGuire
 - Credits and Cancellations
 1. Avica Technology Corp., 562453 (AS)
 2. Numero Uno, Inc., 576371 (AP)
 3. Roberto Difranchesco, 352493 (EH)
 - Refunds
 4. Business Incentives, Inc., 529362 (OH)
 5. Key Information Systems, Inc., 588593 (AC)
 6. Owens & Minor Distribution, Inc., 589784 (OH)
 7. Valley Power Systems, Inc., 606757 (AP)
 8. Travis Credit Union, 594918 (JH)
 9. Directv, Inc., 334361 (AS)
 10. United Healthcare Services, Inc., 531491 (OH)
 11. Mullen Bros., Inc., 496732 (AC)
 12. Infor Global Solutions (MI), Inc., 578286 (OH)
 13. Financial Partners Credit Union, 594103 (AA)
 14. Navteq North America, LLC, 607036 (OH)
 15. Parsons RCI, Inc., 572037 (OH)

- G6. Special Taxes Matters Mr. Gau
 ➤ Redetermination
 1. J and K Tobacco Corporation, 424171 (ET)
- G7. Special Taxes Matters – Credits, Cancellations,
 and Refunds Mr. Gau
 ➤ Refunds
 1. CFJ Properties, 568815 (MT) ‘CF’
 2. Tesoro Refining and Marketing Co., 567152 (MT) ‘CF’

There are no items for the following matters:

- G8. Property Tax Matters
 G9. Cigarette License Fee Matters
 G10. Legal Appeals Property Tax Matters

There are no items for the following matters:

- H. Tax Program Nonappearance Matters – Adjudicatory
 I. Tax Program Nonappearance Matters

Chief Counsel Matters

There are no items for the following matters:

- J. Rulemaking
 K. Business Taxes
 L. Property Taxes

M. Other Chief Counsel Matters

This item is scheduled for Wednesday, July 25, 2012.

Administrative Session

N. Consent Agenda

These items are scheduled for Wednesday, July 25, 2012.

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

P. Other Administrative Matters

These items are scheduled for Wednesday, July 25, 2012.

Q. Closed Session

These items are scheduled for Wednesday, July 25, 2012.

Recess - The meeting will reconvene on Wednesday, July 25, 2012, at 9:30 a.m.

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Joann Richmond, Chief
Board Proceedings Division

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- + 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.)

C1a. [Randeep Singh Dhillon, 485664 \(AR\) +](#)

C1b. [Beale Monterey Enterprises, Inc., 485668 \(AR\) +](#)

C1c. [Sam Sambee Enterprises, Inc., 485729 \(AR\) +](#)

For Petitioners: Randeep Dhillon, Taxpayer
 Arne R. Oftedal, Representative
 Indira Lahiri, Attorney

For Department: Scott Lambert, Hearing Representative

C2. [Tarun Maitra, Soma Prasad, Partha Sarathi Sinha and Basudha Sinha, 473027 \(AA\) +](#)

For Petitioners: Tarun Maitra, Taxpayer
 Soma Prasad, Taxpayer
 Partha Sinha, Taxpayer
 Basudha Sinha, Taxpayer

For Department: Scott Lambert, Hearing Representative

C3. [Bas Food Services, Inc., 507142 \(EA\) +](#)

For Petitioner: Patrick Leone, Representative

For Department: Marc Alviso, Hearing Representative

- C4. [Karlen Antonyan, 472389 \(AC\) +](#)
 For Taxpayer: Karlen Antonyan, Taxpayer
 For Department: Andrew Kwee, Tax Counsel
- C5. [Juana Maria Olmos, 496090 \(AC\) +](#)
 For Petitioner: Claudia Paz, Representative
 For Department: Scott Lambert, Hearing Representative
- ~~C6. [Macradij Sarkis Yacoubian, 508838 \(AC\) +](#)
 For Petitioner: ~~Macradij Yacoubian, Taxpayer~~
 For Department: ~~Scott Lambert, Hearing Representative~~~~
- ~~C7. [AF Services, LLC, 527382, 577082 \(AS\) +](#)
 For Taxpayer/Claimant: ~~Ferdinand Alfajora, Representative~~
 For Department: ~~Pamela Mash, Tax Counsel~~~~
- C8. [Richard J. Robledo and Gloria M. Robledo, 483571 \(KH\) +](#)
 For Petitioners: Richard J. Robledo, Taxpayer
 Gloria M. Robledo, Taxpayer
 Alex Buzas, Representative
 For Department: Erin Dendorfer, Tax Counsel
- C9. [Imad Elias Mahli and Elias Niman Mahli, 531323 \(EH\) +](#)
 For Petitioners: Appearance Waived
 For Department: Scott Lambert, Hearing Representative
- C10. [Elite Cert' Auto Service & Tires, Inc., 550595 \(EA\) +](#)
 For Petitioner: Robbie Kelterer, Taxpayer
 Michelle Kelterer, Witness
 Jerry Taylor, Representative
 For Department: Marc Alviso, Hearing Representative

Chief Counsel Matters

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

M. Other Chief Counsel Matters

- M1. [Resolution Conferring Powers on the Executive Director +](#) Mr. Ferris
 Adoption of resolution conferring powers on the Executive Director.

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. Board Resolution +

- Jan K. Ishii

P. Other Administrative Matters

P1. Executive Director's Report Ms. Cazadd

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..... Mr. Gau

1. **Adoption of the 2012/13 Private Railroad Car Tax Rate – 'CF' +** Mr. Ingenito

Staff recommendation for the tax rate to be applied in 2012/13 to the value of private railroad cars.

2. **Adoption of the 2012 Private Railroad Car Roll – 'CF'** Mr. Gau

Staff recommendation for the lien date 2012 assessment of private railroad cars under the provisions of the Private Railroad Car Tax Law.

3. **Adoption of the 2012 State-Assessed Property Roll – 'CF'** Mr. Gau

Staff recommendation on the allocations of the unitary values adopted by the Board in May 2012, plus adjustments based on prior Board action and staff-recommended nonunitary values.

4. **Fire Prevention Fee Program +** Mr. Gau

Fire Prevention Fee Program implementation.

There are no items for the following matters:

P5. Administration Deputy Director's Report

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 Thursday, July 26, 2012, at 9:30 a.m.

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C. Sales and Use Tax Appeals Hearings
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[C11. Phillip C. Strickland, 480561 \(UT\) +](#)

For Petitioner: Phillip C. Strickland, Taxpayer
Ceifus Johnson, Witness
For Department: Andrew Kwee, Tax Counsel

~~C12. Deanna Robinson Interiors, Inc., 519485 (EA) +~~

~~For Petitioner: Deanna Robinson, Taxpayer
William Walls, Representative
For Department: Marc Alviso, Hearing Representative~~

~~C13. Francis Stephan Ghosal, 445460, 464724, 468127 (FH) +~~

~~For Petitioner: Francis Stephan Ghosal, Taxpayer
For Department: Scott Lambert, Hearing Representative~~

~~C14. Max Express, Inc., 464061 (AA) +~~

~~For Petitioner: Walter Weiss, Attorney
Michael Guirges, Attorney
For Department: Cary Huxsell, Tax Counsel~~

[C15. Daniel Wallace and Grisel M. Wallace, 420232 \(UT\) +](#)

For Petitioners: Daniel Wallace, Taxpayer
For Department: Pamela Mash, Tax Counsel

- C16. Gateway Auto Center, Inc., 437262 (AS) +
For Petitioner: Dean Alkalla, Representative
Irene P. Tse, Attorney
For Department: Scott Lambert, Hearing Representative
- ~~C17. Blue Baroness, LLC, 519591 (UT) +
For Petitioner: Tammy Ross-Stern, Representative
S. Roger Rombro, Attorney
For Department: Scott Claremon, Tax Counsel~~
- ~~C18. Jerry Pena, 478061 (EH) +
For Petitioner: Norma Miller, Representative
James S. Miller II, Representative
For Department: Scott Lambert, Hearing Representative~~
- C19. DKL Intertrading, Inc., 436179 (AP) +
For Petitioner: Hyung S. Lee, Taxpayer
Steven K. Lee, Taxpayer
Ray Park, Representative
For Department: Andrew Kwee, Tax Counsel
- ~~C20. Joaquin E. Hernandez, 523684 (AA) +
For Petitioner: Carlos Estrada, Representative
For Department: Scott Lambert, Hearing Representative~~
- ~~C21. Richard Festo Bwogi, 514577 (AS) +
For Taxpayer: Richard F. Bwogi, Taxpayer
For Department: Marc Alviso, Hearing Representative~~

Adjourn

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