

B20

June 16, 2010

Rick Burningham, et al.

469765



STATE OF CALIFORNIA

FRANCHISE TAX BOARD

Date: 06.14.2010

FACSIMILE TRANSMITTAL COVER SHEET

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Please deliver the following page(s)

TO: NAME : Peymon

FIRM/UNIT : Peymon

FAX NO. : 815.346.2637

PHONE NO.: ()

RE ~~James W.~~ ANTHONY W.

FROM: NAME : Greg Thomas

FIRM/UNIT : Franchise Tax Board

FAX NO. : 916.843.8750

PHONE NO.: (916) 845.7533

Number of pages FAXED: (includes this page)

Hard copy: will follow
 will not follow

Comments:

member Betty T. Yee
member Ana J. Matosantos

14-0001
WIEST

State of California
Franchise Tax Board

06/03/10

PEYMON MOTTAHEDEH
9582 BUTTEMERE RD
PHELAN, CA 92371

Re: Anthony Wiest 2006 Tax Year

I am responding to your correspondence received May 14, 2010, under the Information Practices Act, Civil Code Section 1798 et seq. and the Public Records Act, Government Code Section 6250 et seq.

The numbered responses pertain to the numbered items in your request.

1.-3. Ms. Kris Welsh affirmed the Notice of Proposed Assessment (NPA). Enclosed please find a copy of her position duty statement. Her title is Administrator I and her business address is:

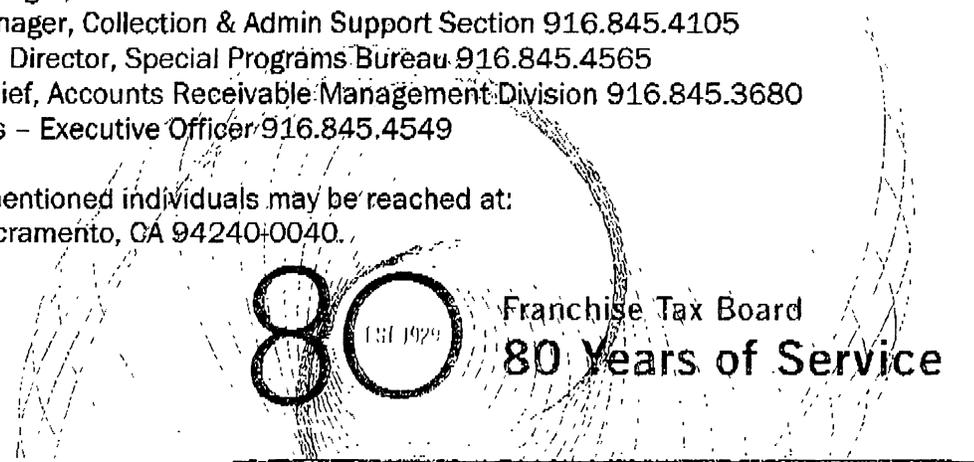
Franchise Tax Board
Accounts Receivable Management Division, Mail Stop A-455
PO Box 2966
Rancho Cordova CA 95741-2966
916.845.7790

4. Ms. Lisa Martini issued the notice of oral hearing. Enclosed please find a copy of her position duty statement.

5. Please see the chain of command below for Ms. Kris Welsh:

- Mr. Kurt Arico - Manager, Collection Unit 916.845.6151
- Mr. Ron Dotta - Manager, Collection & Admin Support Section 916.845.4105
- Mr. Steven Ashton - Director, Special Programs Bureau 916.845.4565
- Mr. Bill Jones II - Chief, Accounts Receivable Management Division 916.845.3680
- Mrs. Selvi Stanislaus - Executive Officer 916.845.4549

Each of the above-mentioned individuals may be reached at:
PO Box 942840, Sacramento, CA 94240-0040.



5con't. Please see the chain of command below for Ms. Lisa Martini:

Mrs. Jackie Hudson – Manager, Field and Complex Account Collection Bureau
916.845.4746

Mrs. Laureen Philip – Director, Field and Complex Account Collection Bureau
916.708.4857

Mr. Bill Jones II – Chief, Accounts Receivable Management Division 916.845.3680

Mrs. Selvi Stanislaus – Executive Officer 916.845.4549

Each of the above-mentioned individuals may be reached at:
PO Box 942840, Sacramento, CA 94240-0040.

6. Enclosed please find a copy of the organizational chart FTB 1250 for the Franchise Tax Board.

7. Position duty statements were previously included. You may reach the above-mentioned employee's at:

Franchise Tax Board

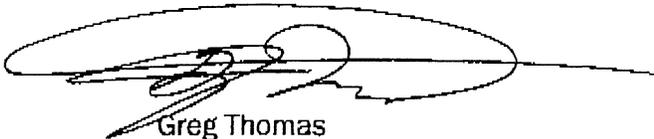
Accounts Receivable Management Division, Mail Stop A-455

PO Box 2966

Rancho Cordova CA 95741-2966

To the extent we have documents that are responsive to your request, we are unable to provide them. The documents are exempt from disclosure pursuant to Government Code section 6254 (c). The department's primary concern is the protection of its employees. Departmental employees have been subjected on numerous occasions to threats and harassment resulting from the performance of their duties.

Sincerely,



Greg Thomas

Disclosure Specialist

Telephone No. 916.845.7533

Enclosures

CC: Anthony Wiest

FRANCHISE TAX BOARD POSITION DUTY STATEMENT

WE SERVE THE PUBLIC BY CONTINUALLY IMPROVING THE QUALITY OF OUR PRODUCTS AND SERVICES

| | | |
|---|---|------------------------------|
| CLASSIFICATION TITLE Administrator I | BUREAU/SECTION – Special Programs Bureau Specialized Collection & Administrative Support Section | |
| WORKING TITLE Supervisor – Decedent/FAN Team | POSITION NUMBER [REDACTED] | EFFECTIVE DATE [REDACTED] |

YOU ARE A VALUED MEMBER OF THE FTB TEAM. YOU ARE EXPECTED TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS TO ENABLE THE DEPARTMENT TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND PRODUCTIVITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY AND WITH RESPECT ARE IMPORTANT TO EVERYONE WHO WORKS WITH YOU.

GENERAL STATEMENT

Under the direction of the Administrator II of the Specialized Collection & Services Unit, the incumbent is responsible for the supervision of the Decedent/FAN Team for the Special Programs Bureau. The business areas within this team include:

- Decedent: Managing and resolving decedent collection case inventory
- Frivolous Activity Non-filer (FAN): Conducting hearings, processing FAN requests, responding to FAN correspondence and phone calls

| % OF TIME | <u>SPECIFIC TASKS</u> |
|-----------|--|
| 45% | Supervises a multifunctional staff engaged in assessment, collection and/or compliance activities. Acts as a team leader and is responsible for team development. Reviews completed work and presents recommended approvals to managers and others; where necessary. |
| 15% | Works with individuals to establish performance/and or career goals and objectives. Reviews and evaluates performance against those goals, modifying as necessary. Identifies training needs and develops training plan consistent with these goals and objectives. |
| 15% | Manages work flowing into and out of the team. Develops workplan and strategies to meet workplan goals. Maintains statistics, identifying trends and issues impacting the operation of the program. |
| 10% | Makes recommendations to implement new programs, policies and procedures related to the business areas within the team. |
| 10% | Represents the Bureau and/or ARM Division on special teams having divisional, departmental and/or statewide impact on Decedent/FAN issues. |
| 5% | Develops and maintains relationship with partners and clients within and outside of FTB to share information and seek feedback. |

[REDACTED]

Employee Date

[REDACTED]

Supervisor Date

FRANCHISE TAX BOARD
POSITION DUTY STATEMENT

YOU DO THE JOBS NEEDED TO MAKE THE STATE INCOME TAX SYSTEM WORK.

| | | |
|-------------------------------------|--|----------------|
| CLASSIFICATION TITLE | BUREAU/SECTION | |
| Principal Compliance Representative | Field & Complex Account Collection / Southern Region | |
| WORKING TITLE | POSITION NUMBER | EFFECTIVE DATE |
| Field Collection Specialist | [REDACTED] | June 1, 2008 |

YOU ARE A VALUED MEMBER OF THE FTB TEAM. YOUR COMMITMENT TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS ENABLES THE DEPARTMENT TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND PRODUCTIVITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY AND WITH RESPECT ARE IMPORTANT TO EVERYONE WHO WORKS WITH YOU.

GENERAL STATEMENT

Under the direct supervision of an Administrator II, you are responsible for planning, conducting, and facilitating all task-related training for the Southern Region. Your technical expertise is at the advanced journey level in all collection areas.

% of Time
Essential Function
50%

SPECIFIC TASKS

As appropriate, you will plan, coordinate, conduct, and facilitate all new hire training for Tax Technicians, Customer Service Specialists and Compliance Representatives in the Southern Region. In collaboration with the Northern Field Collection Specialist, you will coordinate and/or conduct annual Field Account Specialist Training (FAST) for the Field. You will travel to all Southern Field offices for purposes of training and meetings. Additionally, you will travel to Central office and to the Northern Region on an as needed basis. You will act as the Southern Area Training Academy Coordinator, planning, coordinating, and facilitating training for staff. Use of a state issued personal computer or laptop will be required.

Essential Function
35%

You will act as the Southern Region Quality Assurance Representative. On a quarterly basis, you will work collaboratively with the Northern Region Quality Assurance Representative by reviewing sample field cases for quality in several areas. You will provide the Regional Managers with a report of your findings and recommendations to improve the quality and quantity of accounts worked by Field office staff. You will work as a liaison with Southern Region supervisors as it relates to Quality Assurance issues.

Marginal Function
15%

You will maintain technical expertise in all collection areas. You will assist in conducting formal and informal hearings. You will be the Frivolous Activity Non Filer (FAN) Hearing representative for all Southern Region offices. You will assist the Regional Recruiting Supervisor with recruiting efforts. You will provide any additional technical assistance or expertise, which may be requested by the Collection Supervisors or Regional Manager.

[REDACTED]

Supervisor

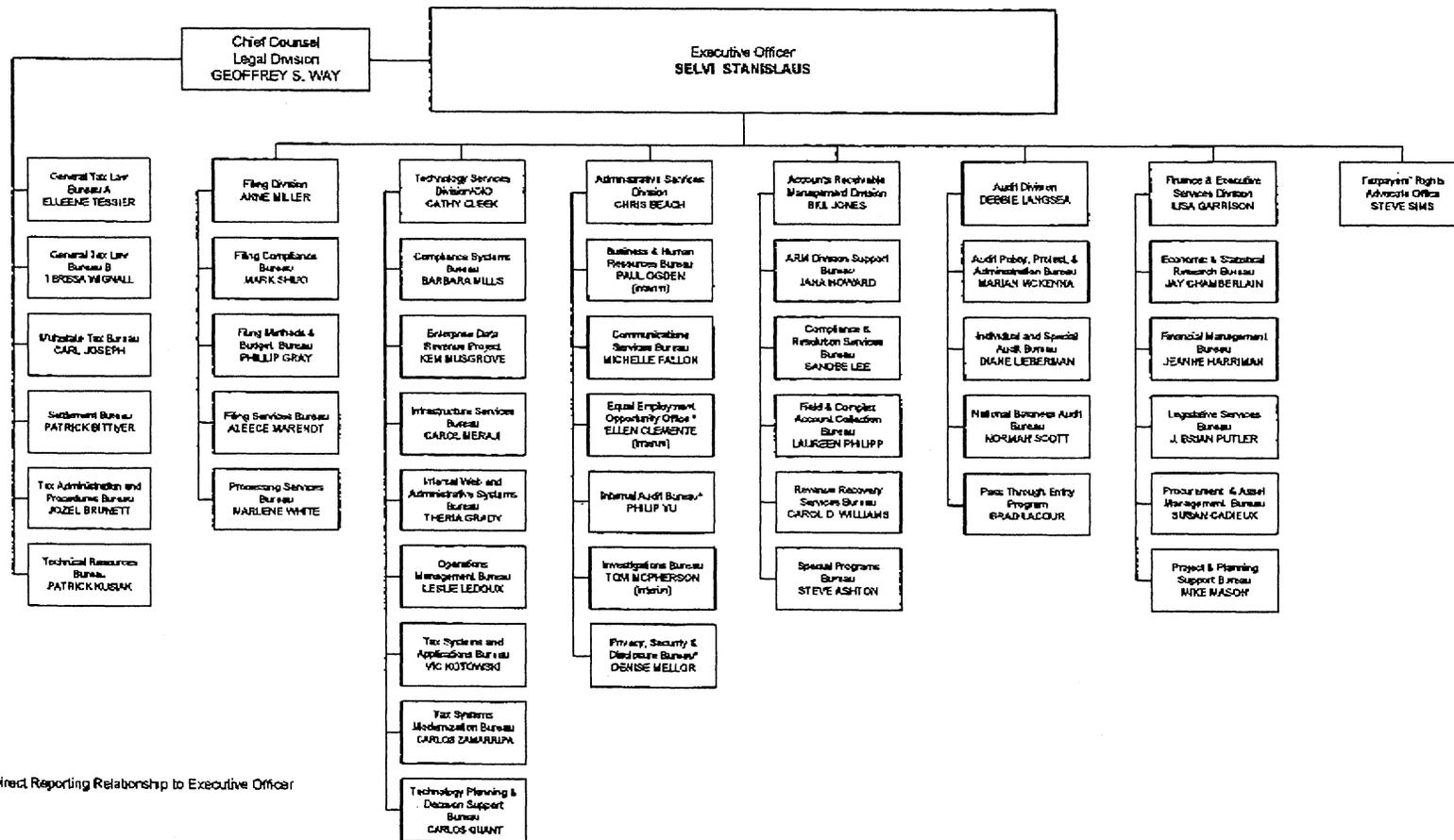
Date

[REDACTED]

Employee

Date

FRANCHISE TAX BOARD



* Direct Reporting Relationship to Executive Officer

10-25214

To: Franchise Tax Board
Disclosure Section
P.O. Box 1468, MS B-1
Sacramento, CA 95812-1468

April 20, 2010

From: Anthony Wiest



From: Peymon Mottahedeh, POA for
Anthony Wiest
c/o 9582 Buttemere Rd.
Phelan, CA 92371

Re: **Tax Year 2006**
Information Practices Act Request

Please provide copies of documents that show the following information:

- 1) The person in Sacramento at the Accounting Receivables Management office who was assigned to decide the affirmation of the Notice of Proposed Assessment for the tax year 2006.
- 2) The person who affirmed the Notice of Proposed Assessment that caused the issuance of the Notice of Action for the tax year 2006.
- 3) The position duty statement for each of the persons in your response to #1 and #2.
- 4) The position duty statement for the person who noticed Mr. Wiest of the oral hearing on protest.
- 5) For each person named in the answers to the above, the name, title, address and telephone number of each supervisor all the way up to the executive director.
- 6) Copy of the organization chart that shows the line of authority extended to the persons you named in answer to the above.
- 7) For each person's name in answers to #1, #2 and #4; their position duty statement, address and telephone number.

Sincerely,

Peymon Mottahedeh, Attorney in Fact for Anthony Wiest



To: Franchise Tax Board
Disclosure Section
P.O. Box 1468, MS B-1
Sacramento, CA 95812-1468

April 20, 2010

From: Anthony Wiest
[REDACTED]
[REDACTED]

From: Peymon Mottahedeh, POA for
Anthony Wiest
c/o 9582 Buttemere Rd.
Phelan, CA 92371

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- 7) For each person's name in answers to #1, #2 and #4; their position duty statement, address and telephone number.

Sincerely,



Peymon Mottahedeh, Attorney in Fact for Anthony Wiest



State of California
Franchise Tax Board

Legal Division MS A260
PO Box 1720
Rancho Cordova CA 95741-1720
tel: (916) 845-3066 fax: (916) 843-2122
ftb.ca.gov

chair John Chiang | member Betty T. Yee | member Ana J. Matosantos

SUBMITTED TO
JUN - 1 2010
BOARD OF EQUALIZATION

COPY

Date: 06.01.10

Case: 20220363958739003

Case Unit: 20220363958739006

In reply refer to 410:SLS

TO: CHIEF, BOARD PROCEEDINGS DIVISION
STATE BOARD OF EQUALIZATION
450 N STREET, MIC: 81
SACRAMENTO, CA 95814

FROM: SUZANNE L. SMALL

RE: Appeal of Anthony Wiest
Appeal Case ID No. 482498
Interest Computation

MEMORANDUM

The above-named appeal is scheduled for hearing on June 16, 2010.

The FTB estimates that the potential underpayment interest on the amount at issue in this appeal for the 2006 taxable year to the date of the hearing is \$2,839.41. Respondent is not aware of any tax deposits, payments, credits, or offsets from other taxable years available to reduce the amount at issue. The above interest calculation is an estimate and will be recalculated based on the actual amounts determined at the conclusion of the appeal.


Tax Counsel III

cc: Peymon Mottahedeh

6-7-10