



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

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Executive Director

April 3, 2017

Ms. Denise Friedman

Dear Ms. Friedman:

Thank you for your participation in the May 24, 2016, Taxpayers' Bill of Rights Hearing held in Sacramento. You explained that your application for a base value transfer under section 69.5 of the Revenue and Taxation Code was denied because the replacement property was not a 100 percent purchase because you inherited a portion and purchased the remaining interest from your siblings. You contend that the Board of Equalization's interpretation of "purchase" to mean only a 100 percent purchase is not the proper interpretation of the statute.

As you may be aware, the Board of Equalization has reviewed and revised prior advice to the counties regarding this issue. The San Diego County Assessor's Office was advised that the exclusion should be granted. On February 1, 2017, the Assessor's Office accepted your base value transfer request and submitted corrections for the 2012 supplemental tax bill and regular tax bills for years 2013 through 2016. Resulting refunds and/or revised bills were expected to be issued about six to eight weeks thereafter.

Thank you again for sharing your ideas and concerns as part of our annual hearing process. If you have any further questions regarding this matter, please do not hesitate to contact me at 1-916-324-2798. You may also contact Mr. Mark Sutter of my office at 1-916-556-9257.

Sincerely,

Todd C. Gilman
Chief, Taxpayers' Rights and
Equal Employment Opportunity Division

TCG: ms
Friedman response 040317.docx

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Ms. Laureen Simpson, Technical Advisor to the Advocate (MIC 70)
Mr. Mark Sutter, Taxpayers' Rights Advocate Office (MIC 70)
Mr. Chris Campbell, Loeb and Loeb, LLP