

BEFORE THE STATE BOARD OF TAX APPEALS
STATE OF ARIZONA
Bank of America Tower
101 North First Avenue - Suite 2340
Phoenix, Arizona 85003
(602) 528-3966

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5 ROBERT H. ARGENTINO,)
6 Appellant,)
7 vs.) Docket No. 1806-99-I
8 ARIZONA DEPARTMENT OF REVENUE,)
9 Appellee.) NOTICE OF DECISION:
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)

10 The State Board of Tax Appeals, having considered all evidence and arguments presented, and
11 having taken the matter under advisement, finds and concludes as follows:

12 FINDINGS OF FACT

13 Through an exchange of information between the Internal Revenue Service and the Arizona
14 Department of Revenue (the "Department"), the Department learned of discrepancies in the amounts
15 Robert H. Argentino ("Appellant") reported on his 1986 and 1987 federal and Arizona income tax
16 returns.¹ Accordingly, the Department assessed Appellant additional tax, interest and penalties for
17 negligence and late payment for the years in question. The Department subsequently abated the
18 penalties and modified the assessment after Appellant provided additional information. Appellant
19 protested the modified assessment to the Department's hearing officer who denied the protest. Appellant
20 then protested to the Director who affirmed the hearing officer's decision. Appellant now timely appeals
21 to this Board on the basis that the tax liability at issue has been discharged in bankruptcy proceedings.

22 DISCUSSION

23 The issue before the Board is whether Appellant is liable for the tax assessed. Appellant argues
24 that he is not liable for the tax at issue because the liability has been discharged in bankruptcy
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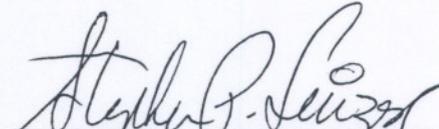
28 ¹ The discrepancies were found on the joint returns filed by Appellant and his wife, Cindy Argentino, but only Appellant has appealed to the Board.

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This decision becomes final upon the expiration of thirty (30) days from receipt by the taxpayer unless either the State or taxpayer brings an action in superior court as provided in A.R.S. § 42-1254.

DATED this 21st day of March, 2000.

STATE BOARD OF TAX APPEALS



Stephen P. Linzer, Chairman

SPL:AW
CERTIFIED

Copies of the foregoing
mailed or delivered to:

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