

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

BALPORT CONSTRUCTION CO., INC. :

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales & Use :
Taxes under Article(s) 28 & 29 of the :
Tax Law for the ~~year(s)~~ Period(s) :
6/1/71 - 5/31/75

State of New York
County of Albany

Marsina Donnini , being duly sworn, deposes and says that
she is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 24 day of August , 1977, she served the within
Notice of Default Order by ~~(certified)~~ mail upon Balport Construction
Co., Inc. ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Balport Construction Co., Inc.
14 No. Payne Street
Elmsford, New York

and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the ~~(representative of)~~
~~of the~~ petitioner herein and that the address set forth on said wrapper is the
last known address of the ~~(representative of the)~~ petitioner.

Sworn to before me this

24 day of August , 1977.

Marsina Donnini

Janet Macch

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

BALPORT CONSTRUCTION CO., INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or
a Revision of a Determination or a Refund
of Sales & Use
Taxes under Article(s) 28 & 29 of the
Tax Law for the ~~Year(s)~~ Period(s)
6/1/71 - 5/31/75

State of New York
County of Albany

Marsina Donnini, being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 24 day of August, 19 77, she served the within Notice of Default Order by ~~certified~~ mail upon Robert E. Schulman, CPA (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Robert E. Schulman, CPA
30 East 42nd Street
New York, New York 10017 and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative of the) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

24 day of August, 19 77

Marsina Donnini

Janet Mac



STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

August 24, 1977

TELEPHONE: (518) 457-1723

**Balport Construction Co., Inc.
14 No. Payne Street
Elmsford, New York**

Gentlemen:

Please take notice of the Default Order
of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to
Section(s) **1138 & 1243** of the Tax Law, any
proceeding in court to review an adverse deci-
sion must be commenced within **4 months**
from the date of this notice.

Inquiries concerning the computation of tax
due or refund allowed in accordance with this
decision or concerning any other matter relative
hereto may be addressed to the undersigned. They
will be referred to the proper party for reply.

Very truly yours,

**Aloysius J. Mendza
Supervisor of Tax Conferences**

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
BALPORT CONSTRUCTION CO., INC.
for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
Periods Ended
Year(s) 6/1/71 - 5/31/75

DEFAULT ORDER

Petitioner(s) Balport Construction Co., Inc., 14 No. Payne Street, Elmsford, New York
New York, filed a petition for revision or for refund of
Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the
Periods Ended
year(s) 6/1/71 through 5/31/75 . File No. (X) 16225

A pre-hearing conference on the petition was scheduled before
David Jablonski, Conferee, at the offices of the State
Tax Commission, New York State Office Bldg., 99 Church St., 2nd Floor, White Plains, NY
on Thursday, May 12, 1977 at 1:00 P.M. . Notice of said pre-hearing
conference was given to petitioner(s) and petitioner(s) representative, Robert E.
Schulman, CPA . Petitioner(s) or petitioner(s) representative did
not appear at the pre-hearing conference . A default has been duly noted.

Now on motion of the attorney for the Department of Taxation and Finance,
it is

ORDERED that the petition of Balport Construction Co., Inc.
be and the same is hereby denied.

DATED: Albany, New York
August 24, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER