

New York State Division of Tax Appeals
Agency Building 1, Empire State Plaza, Albany, NY 12223

Stipulation for Discontinuance of Proceeding Upon Rescission of a Conciliation Order Dismissing a Request

Purpose: Completion of this form allows a petitioner to end the current Tax Appeals matter and return to the Bureau of Conciliation and Mediation Services (BCMS) because a prior BCMS dismissal in the same case has been rescinded. *Note:* A petitioner may return to the Division of Tax Appeals on the same case by timely filing a new petition after completion of the conciliation process.

In the Matter of the Petition of <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> for Redetermination of a Deficiency/Revision of a Determination or for Refund under Article(s) <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> of the Tax Law for the Year(s)/Period(s) <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>
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DTA Number(s):

It is hereby stipulated and agreed by and between the parties that:

Pursuant to the attached letter, the Bureau of Conciliation and Mediation Services has rescinded the Conciliation Order Dismissing Request issued to the above-named petitioner on _____;

The above-named petitioner hereby withdraws the petition(s) for redetermination of a deficiency/revision of a determination or for refund, and discontinues the above-captioned proceeding, with prejudice, as of this date; and

In the event that this matter is not finally resolved in the conciliation process, petitioner shall be entitled to petition for a hearing before the Division of Tax Appeals, but only if a timely petition for a hearing is filed after the conciliation order is issued.

Signature of Petitioner or Petitioner's Representative*

Date

Signature of Representative of Division of Taxation

Date

* If this document is signed by any person other than the taxpayer, it must be accompanied by a duly executed Power of Attorney unless: (1) a Power of Attorney has already been filed with the Division of Tax Appeals, or (2) this document is signed by an individual otherwise authorized to do so under the regulations of the Tax Appeals Tribunal (20 NYCRR 3000.2).