

File

Personal Income
374

STATE OF NEW YORK
STATE TAX COMMISSION

IN THE MATTER OF THE PETITION
of

I. GEORGE BERKMAN

FOR A REDETERMINATION OF A DEFICIENCY
OF PERSONAL INCOME TAXES FOR THE
YEAR 1959

I. George Berkman having filed a petition for redetermination of the deficiency of \$1,991.30 in his personal income tax for the year 1959 and a hearing having been scheduled thereon at the office of the State Tax Commission, 80 Centre Street, New York, New York, on March 1, 1967, at 3 p.m., and due notice of said hearing having been given the petitioner and to his attorney, Marvin Feinstein, of 350 Old Country Road, Garden City, New York, and petitioner having failed to appear at said hearing and no one having appeared on his behalf and the matter having been duly examined and considered,

The State Tax Commission hereby determines:

FINDINGS OF FACT

1. That petitioner in 1959 received a liquidating dividend of \$40,000 from Barandeb Realty Corporation.

CONCLUSIONS OF LAW

That the said liquidating dividend of \$40,000 petitioner received from Barandeb Realty Corporation is a capital gain for income tax purposes;

It is ORDERED that said petition be denied and that petitioner pay to the Department of Taxation and Finance of the State of New York income tax

arrears of \$1,991.30 for the year 1959 together with appropriate interest and penalties as provided by the Tax Law forthwith.

STATE TAX COMMISSION

William L. Latham
COMMISSIONER

Bruce M. Macleay
COMMISSIONER

Milton Korman
COMMISSIONER

DATED: At Albany, New York,
this 9th day of
March 1970.

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STATE TAX COMMISSION

Norman Gallman
COMMISSIONER

Bruce Marley
COMMISSIONER

Milton Korman
COMMISSIONER

DATED: At Albany, New York,
this 9th day of
March 1970.