

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

Stipulation for Discontinuance of Proceeding and Referral of Proceeding to Bureau of Conciliation and Mediation Services

Purpose: This form is to be completed to end proceedings with the Division of Tax Appeals and allow for a petitioner to instead proceed with the Bureau of Conciliation and Mediation Services. *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
_____ for Redetermination of a Deficiency/Revision of a Determination or for Refund under Article(s) _____ of the Tax Law for the Year(s)/Period(s) _____

DTA Number(s):

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

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;

Said petition(s) shall instead be deemed to be a Request for Conciliation Conference with the Bureau of Conciliation and Mediation Services and that said request shall be deemed to have been made to the Bureau of Conciliation and Mediation Services on the date on which petitioner filed said petition(s) with the Division of Tax Appeals; 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 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).