

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

# Withdrawal of Petition for Matter Currently Pending in the Bureau of Conciliation and Mediation Services

**Purpose:** This form should be filed when the petitioner has simultaneous matters before the Bureau of Conciliation and Mediation Services (BCMS) and the Division of Tax Appeals and wants to first proceed at BCMS. *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.

<b>In the Matter of the Petition of</b>  <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):

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The above-named petitioner, who has requested a conciliation conference with the Bureau of Conciliation and Mediation Services and also filed a petition for a hearing with the Division of Tax Appeals, wishes to first proceed with the conciliation process and hereby withdraws the petition(s) for determination of a deficiency/revision of a determination or for refund, and discontinues the above-captioned proceeding, with prejudice, as of this date.

If this matter is not finally resolved in the conciliation process, petitioner is 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 Taxpayer or Representative\*

\_\_\_\_\_  
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).