

OFFICE OF TAX APPEALS
STATE OF CALIFORNIA

In the Matter of the Appeal of:
Z. SULTANA

) OTA Case No. 221212128
) CDTFA Case ID: 3-413-126
)
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)
)

OPINION

Representing the Parties:

For Appellant:

Nader Shahatit, Representative

For Respondent:

Mari Guzman, Attorney
Chad Bacchus, Attorney
Jason Parker, Chief of Headquarters Ops.

For Office of Tax Appeals:

Corin Saxton, Attorney

J. LAMBERT, Administrative Law Judge: Pursuant to Revenue and Taxation Code (R&TC) section 6561, Z. Sultana (appellant) appeals a decision issued by respondent California Department of Tax and Fee Administration (CDTFA)¹ denying appellant’s timely petition for redetermination of a Notice of Dual Determination (NODD) issued on December 14, 2021. The NODD is for tax of \$72,500, plus applicable interest, and penalties of \$7,269.97 for the periods July 1, 2014, through June 30, 2017; October 1, 2017, through December 31, 2017; July 1, 2018, through September 30, 2018; and October 1, 2018, through November 15, 2018 (liability periods). The NODD reflects CDTFA’s determination that appellant is personally liable as a responsible person for the unpaid sales taxes, plus applicable interest, and penalties that Ark & Associates, Inc. (Ark) accrued during the liability periods.

Office of Tax Appeals (OTA) Panel Members Josh Lambert, Greg Turner, and Kim Wilson held a Virtual oral hearing for this matter on July 24, 2025. At the conclusion of the oral hearing, the record was closed, and this matter was submitted on the oral hearing record pursuant to California Code of Regulations, title 18, (Regulation) section 30209(b).

¹ Sales and use taxes were formerly administered by the State Board of Equalization (board). In 2017, functions of the board relevant to this case were transferred to CDTFA. (Gov. Code, § 15570.22.) For ease of reference, when this Opinion refers to events that occurred before July 1, 2017, “CDTFA” shall refer to the board.

ISSUES

1. Whether appellant has shown that adjustments are warranted to the audit liability.
2. Whether appellant is personally liable as a responsible person for Ark's unpaid sales tax, applicable interest, and penalties during the liability periods.

FACTUAL FINDINGS

1. Ark, a California corporation, operated two men's clothing stores in San Jose, California.
2. Upon audit by CDTFA, Ark provided Federal Income Tax Returns (FITRs) for 2014 through 2016, bank statements, and daily sales worksheets, which were based on cash register z-tapes,² and used to prepare the sales and use tax returns (SUTRs) and FITRs. Ark did not provide the z-tapes on which the sales worksheets were based.
3. CDTFA found an unexplained material difference of \$672,684 between gross receipts reported on Ark's FITRs when compared to ex-tax³ taxable sales of \$261,876 reported on the SUTRs. CDTFA also found material differences when it compared Ark's taxable sales based on its bank statements to its reported taxable sales on the SUTRs, finding a difference of \$657,818.
4. Ark's sales worksheets recorded taxable sales of \$1,065,292, which exceeded Ark's taxable sales of \$277,677 reported on its SUTRs by \$787,615. As a result of this discrepancy, CDTFA established a deficiency measure of \$787,615 for unreported taxable sales.
5. During the audit, Ark asserted that the deficiency measure included nontaxable sales for resale of \$398,000, and, in support of this argument, Ark provided a signed resale certificate dated April 1, 2014, for the purchase of "Men's Apparel & Accessories" by M. Junaidi. CDTFA found that this resale certificate was insufficient to support nontaxable sales for resale because Ark did not provide a detailed listing of the transactions covered by the resale certificate.

² A cash register z-tape is the portion of the cash register tape that summarizes sales by category for a certain time period (e.g., a day or a shift).

³ "Ex-tax" means without tax or tax reimbursement.

6. Based on the audit, CDTFA issued a Notice of Determination (NOD) to Ark on October 30, 2018,⁴ which identified a tax deficiency of \$69,654 and interest of \$11,112.41 for the period July 1, 2014, through June 30, 2017 (audit period).⁵
7. Appellant prepared SUTRs for the fourth quarter of 2015 (4Q15), 1Q16, 2Q16, 3Q16, 4Q16, 1Q17, 4Q17, and 4Q18. Ark's bookkeeper prepared SUTRs for 3Q14, 4Q14, 1Q15, 2Q15, 3Q15, 2Q17, and 3Q18. SUTRs were filed without remittance for 3Q14, 4Q14, 1Q15, 2Q15, 3Q15, 4Q15, 1Q16, 3Q16, 4Q16, 1Q17, 3Q18, and 4Q18. The record indicates that the SUTR for 4Q17 was originally filed without remittance, but also that a partial payment was applied to 4Q17. Therefore, according to CDTFA, the SUTR for 4Q17 is a partial remittance SUTR.
8. On June 6, 2019, appellant submitted a Notice of Closeout form to CDTFA, stating that the business closed on November 15, 2018. CDTFA closed Ark's seller's permit and began an R&TC section 6829 investigation of appellant's derivative liability for the October 30, 2018 NOD and appellant's derivative liability for Ark's partial or non-remittance SUTRs for 4Q17, 3Q18, and the period October 1, 2018, through November 15, 2018.
9. Given that Ark claimed deductions for sales tax reimbursement included in gross receipts, CDTFA found that Ark charged sales tax reimbursement on its taxable sales.⁶
10. CDTFA found that appellant was responsible for the filing of SUTRs or the payment of tax based on evidence of appellant's involvement in sales and use tax matters, including the following: (1) on September 5, 2014, and March 24, 2015, appellant called CDTFA to discuss Ark's delinquent taxes, SUTRs, and payments, and to request a payment plan for Ark's sales and use tax liabilities,⁷ and appellant also initiated electronic payments to

⁴ CDTFA timely issued the NOD because appellant waived the otherwise applicable three-year statute of limitations by signing a series of waivers, the last of which appellant signed on February 1, 2018, which gave CDTFA until October 31, 2018, to issue the NOD for the period July 1, 2014, through June 30, 2015. (See R&TC, §§ 6487(a), 6488.)

⁵ Ark filed a petition for redetermination of the NOD, which CDTFA denied in its September 22, 2022 decision. Ark filed a request for reconsideration on October 4, 2022, and, on March 16, 2023, CDTFA issued a supplemental decision that continued to deny Ark's petition for redetermination.

⁶ In addition, CDTFA noted that sales tax reimbursement was included or added to the selling price, according to Form BOE-1296 Account Update Information. Furthermore, according to CDTFA's Centralized Revenue Opportunity System, CROS, on November 18, 2021, Ark's bookkeeper confirmed that sales tax reimbursement was included in sales on the sales worksheets.

⁷ These conversations were summarized in CDTFA's Automated Compliance Management System.

CDTFA; (2) appellant signed the Notice of Closeout; (3) appellant signed Ark's seller's permit application as president; (4) appellant signed or electronically filed SUTRs throughout the liability period; (5) appellant signed, as president, CDTFA's power of attorney forms on August 13, 2017, and August 25, 2018; (6) appellant signed, as president, CDTFA's email authorization form on September 3, 2017; (7) appellant signed, as president, CDTFA's waiver of limitation form on September 3, 2017; (8) appellant signed, as president, Ark's petition for redetermination on November 27, 2018; and (9) appellant prepared and signed the FITRs for fiscal years October 1, 2014, to September 30, 2015, and October 1, 2016, to September 30, 2017, as CEO and Vice President, respectively.

11. CDFTA found that appellant had knowledge of the liabilities and the authority to pay them based on CDTFA's finding that appellant was Ark's only corporate officer during the liability periods and was listed as Ark's CEO, Secretary, CFO, and Director in the Statement of Information that appellant caused to be filed with the California Secretary of State.
12. CDTFA found that Ark had the funds available to pay the liabilities at the time they became due based on the following evidence: (1) Ark collected sales tax reimbursement; (2) Ark made rent payments totaling \$152,735.97 from 1Q16 through 4Q18; (3) Ark made income tax payments of \$800 to the Franchise Tax Board for tax years 2014 and 2016; and (4) Form 1099-K records⁸ show that Ark received credit card payments of \$1,143,733 from 3Q14 through 1Q19.
13. On December 14, 2021, CDTFA issued a timely NODD to appellant holding her personally responsible for Ark's unpaid liabilities of \$72,500 in tax, plus accrued interest, and penalties of \$7,269.97.
14. Appellant filed a timely petition for redetermination, and, on November 17, 2022, CDTFA issued a decision denying the petition.
15. This timely appeal followed.

⁸ Form 1099-K (Payment Card and Third-Party Network Transactions) is an IRS form used to report payments that merchants receive from customers through payment cards (i.e., credit card or debit cards) and/or third-party networks (e.g., PayPal).

DISCUSSION

Issue 1: Whether adjustments are warranted to the underlying audit liability.

California imposes sales tax on a retailer's retail sales of tangible personal property sold in this state measured by the retailer's gross receipts, unless the sale is specifically exempt or excluded from taxation by statute. (R&TC, §§ 6012, 6051.) For the purpose of the proper administration of the Sales and Use Tax Law and to prevent the evasion of the sales tax, the law presumes that all gross receipts are subject to tax until the contrary is established. (R&TC, § 6091.) It is the retailer's responsibility to maintain complete and accurate records to support reported amounts and to make them available for examination. (R&TC, §§ 7053, 7054; Cal. Code Regs., tit. 18, § 1698(b)(1).)

If CDTFA is not satisfied with the amount of tax reported by the taxpayer, or in the case of a failure to file a return, CDTFA may determine the amount required to be paid on the basis of any information which is in its possession or may come into its possession. (R&TC, §§ 6481, 6511.) In the case of an appeal, CDTFA has a minimal, initial burden of showing that its determination was reasonable and rational. (*Appeal of Talavera*, 2020-OTA-022P.) Once CDTFA has met its initial burden, the burden of proof shifts to the taxpayer to establish that a result differing from CDTFA's determination is warranted. (*Ibid.*) Unsupported assertions are not sufficient to satisfy a taxpayer's burden of proof. (*Ibid.*) To satisfy its burden of proof, a taxpayer must prove both: (1) that the tax assessment is incorrect, and (2) the proper amount of tax. (*Appeal of AMG Care Collective*, 2020-OTA-173P.)

In this case, CDTFA found that the FITRs, bank statements, and sales worksheets all reflected substantially higher sales than reported on the SUTRs. Therefore, the SUTRs were deemed unreliable. In addition, appellant did not provide the z-tapes on which the sales worksheets were based. CDTFA used the difference in taxable sales recorded on Ark's sales worksheets and the reported taxable sales on the SUTRs to determine unreported taxable sales. As a result, CDTFA's determination is based on sales that Ark recorded as taxable on its own records. Accordingly, CDTFA's determination is reasonable and rational and appellant has the burden of showing error.

Appellant argues that CDTFA did not make an adjustment for nontaxable sales for resale of \$398,000 to M. Junaidi, which it contends is proven by the provided resale certificate. Appellant contends that the \$398,000 in nontaxable sales for resale occurred as follows: \$60,000 during 3Q14 and 4Q14, \$98,000 during 2015, \$120,000 during 2016, and \$120,000

during 2017. At the hearing, appellant stated that she had no evidence to support this breakdown of alleged nontaxable sales for resale.

The burden of proving that a sale of tangible personal property is not at retail is upon the seller unless the seller timely takes in good faith a certificate from the purchaser that the property is purchased for resale. (R&TC, § 6091; Cal. Code Regs., tit. 18, § 1668(a).) If timely taken in proper form and in good faith from a person who is engaged in the business of selling tangible personal property and who holds a California seller's permit,⁹ the certificate relieves the seller from liability for the sales tax and the duty of collecting the use tax. (Cal. Code Regs., tit. 18, § 1668(a).) A certificate will be considered timely if it is taken at any time before the seller bills the purchaser for the property, or any time within the seller's normal billing and payment cycle, or any time at or prior to delivery of the property to the purchaser. (*Ibid.*)

Pursuant to R&TC section 6091 and Regulation section 1668(a), there must be a "sale of tangible personal property" and a "purchaser" of that property from whom the resale certificate is taken, or the sales are presumed to be taxable retail sales. Appellant has not identified a single sale that Ark made in relation to the resale certificate during the audit period or presented evidence to show that the taxable sales listed on Ark's sales worksheets include nontaxable resale transactions in relation to the resale certificate. Therefore, it has not been shown that appellant made any sales to M. Junaidi. Accordingly, OTA finds the resale certificate is not valid, and appellant has the burden to show that the sales were sales for resale.

While the validity of the resale certificate is addressed above, the evidentiary value of the resale certificate is also questionable because it is signed using a date of April 1, 2014, and completed using a version of Form CDTFA-230, California Resale Certificate, that was revised by CDTFA as of August 2017. Therefore, this version of the form was made available for use by the public approximately three years after the date it was purportedly signed. This indicates that the April 1, 2014 date was, at least, back dated; and thus, calls into question whether the resale certificate was timely obtained for the alleged sales for resale. (Cal. Code Regs., tit. 18, § 1668(a).)

If the seller does not timely obtain a valid resale certificate, the seller will be relieved of liability for the tax only where the seller shows that the property: (1) was in fact resold by the purchaser and was not used by the purchaser for any purpose other than retention,

⁹ The provided resale certificate includes a seller's permit number for M. Junaidi, which is an essential element of a valid resale certificate. (Cal. Code Regs., tit. 18, § 1668(b)(1)(C).) OTA notes that a seller's permit number is not needed for the purchaser in certain circumstances, such as where the purchaser is not required to hold a permit or when the purchaser makes no sales in this state. (*Ibid.*)

demonstration, or display while holding it for sale in the regular course of business; (2) is being held for resale by the purchaser and has not been used for any purpose other than retention, demonstration, or display, while being held for sale in the regular course of business; or (3) was consumed by the purchaser and tax was reported by the purchaser directly to CDTFA on the purchaser's returns or in an audit of the purchaser. (Cal. Code Regs., tit. 18, § 1668(e).) A seller who does not timely obtain a resale certificate may use any verifiable method of establishing that it should be relieved of liability for tax under subdivision (e). (Cal. Code Regs., tit. 18, § 1668(f).)

Appellant provides no evidence of the sales for resale to M. Junaidi but argues that CDTFA should have verified the existence of the sales for resale. However, the law presumes all sales are taxable until appellant has established otherwise. (R&TC, § 6091.) Therefore, appellant should have presented evidence substantiating the sales for resale, and appellant could have sent any inquiries to the alleged purchaser. For instance, an XYZ letter is a letter in a form approved by CDTFA that a seller may send to its customer inquiring as to the disposition of the property purchased from the seller. (Cal. Code Regs., tit. 18, § 1668(f).) Accordingly, appellant has not met its burden to show that adjustments to the audit liability are warranted.

Issue 2: Whether appellant is personally liable as a responsible person.

R&TC section 6829 provides, in pertinent part, that a person is personally liable for the unpaid tax, accrued interest, and penalties owed by a corporation, if all of the following elements are met: (1) the corporation's business has been terminated, dissolved, or abandoned; (2) the corporation collected sales tax reimbursement on its sales of tangible personal property and failed to remit such tax reimbursement to CDTFA when due; (3) the person had control or supervision of, or was charged with the responsibility for, the filing of returns or the payment of tax, or had a duty to act for the corporation in complying with the Sales and Use Tax Law; and (4) the person willfully failed to pay taxes due from the corporation or willfully failed to cause such taxes to be paid. (R&TC, § 6829(a), (c); Cal. Code Regs., tit. 18, § 1702.5(a), (b).)

CDTFA must prove the elements of R&TC section 6829 by a preponderance of the evidence. (Cal. Code Regs., tit. 18, § 1702.5(d).) That is, CDTFA must establish that the circumstances it asserts are more likely than not to be correct. (*Appeal of Treyzon*, 2023-OTA-399P.)

Appellant contends that she is a housewife that did not participate in any daily activities or sales or use tax matters for Ark. Appellant asserts that she was a silent partner, and that there was a manager for the store and a bookkeeper who dealt with the books and records.

Appellant contends that she was automatically named in the records, and the books and records do not contain her signature. Appellant argues that she signed documents only when there was no one else to sign. Appellant asserts that the bookkeeper filed SUTRs, and that while she filed some SUTRs, she did not file for 3Q18.

Termination

The “termination of the business of a corporation includes the discontinuance or cessation of all business activities for which the corporation was required to hold a seller’s permit. (Cal. Code Regs., tit. 18, § 1702.5(b)(3).) Appellant submitted a Notice of Closeout form to CDTFA, stating that the business closed on November 15, 2018. Therefore, this element is met.

Collection of Sales Tax Reimbursement

As relevant here, personal liability can be imposed only to the extent the corporation included tax reimbursement in the selling price of, or added tax reimbursement to the selling price of, tangible personal property sold in the conduct of its business. (R&TC, § 6829(c); Cal Code Regs., tit. 18, 1702.5(a).) Ark claimed deductions on its SUTRs for sales tax reimbursement. In addition, sales tax reimbursement was included or added to the selling price, according to Form BOE-1296 Account Update Information. Furthermore, Ark’s representative and bookkeeper confirmed that sales tax reimbursement was included in sales on the sales worksheets. Therefore, this element is met.

Responsible Person

Personal liability can be imposed only on a responsible person, and there may be more than one responsible person. (R&TC, § 6829(b).) In this context, “responsible person” means any person having control or supervision of, or who was charged with the responsibility for, the filing of returns or the payment of tax or who had a duty to act for the corporation in complying with any portion of the Sales and Use Tax Law when the taxes became due. (*Ibid.*; Cal. Code Regs., tit 18, § 1702.5(b)(1).)

As relevant here, personal liability applies only if, when the person was a responsible person for the corporation, the corporation sold tangible personal property and collected sales tax reimbursement on the selling price of the property and failed to remit such tax reimbursement when due. (Cal. Code Regs., tit. 18, § 1702.5(a).) Simply because a person was an officer, member, manager, employee, director, shareholder or partner of a business is not, in and of itself, sufficient to establish that the person is a “responsible person.” (Cal. Code

Regs., tit. 18, § 1702.5(b)(1).) However, the position of officer is evidence that one had broad implied and actual authority to ensure compliance with the Sales and Use Tax Law, even if that responsibility was delegated to others. (*Appeal of Treyzon, supra.*)

Appellant was the owner, president, and sole officer of Ark, as indicated by appellant's signings of numerous documents and SUTRs filed with CDTFA. Appellant clearly had a duty to act for the corporation. In performing her duties, appellant filed numerous SUTRs for Ark during the liability period and engaged in discussions with CDTFA concerning Ark's delinquent taxes, SUTRs, and payments. Therefore, the evidence shows that appellant was responsible for Ark's sales and use tax matters, including filing and paying tax for the entire liability period. Accordingly, this element has been met.

Willfulness

"Willfully fails to pay or to cause to be paid" means that the failure was the result of an intentional, conscious, and voluntary course of action. (R&TC, § 6829(d); Cal. Code Regs., tit. 18, § 1702.5(b)(2).) This failure may be willful even if it was not done with a bad purpose or motive. (Cal. Code Regs., tit. 18, § 1702.5(b)(2).) To show willfulness, CDTFA must establish all of the following:

- (A) On or after the date that the taxes came due, the responsible person had actual knowledge that the taxes were due, but not being paid.
- (B) The responsible person had the authority to pay the taxes or to cause them to be paid: (i) on the date that the taxes came due and (ii) when the responsible person had actual knowledge as defined in (A). A responsible person who was required to obtain approval from another person prior to paying the taxes at issue and was unable to act on his or her own in making the decision to pay the taxes does not have the authority to pay the taxes or to cause them to be paid.
- (C) When the responsible person had actual knowledge as defined in (A), the responsible person had the ability to pay the taxes but chose not to do so.

(Cal. Code Regs., tit. 18, § 1702.5(b)(2).) In summary, for the fourth element (willfulness), CDTFA must establish actual knowledge, authority, and ability to pay.

Actual Knowledge

CDTFA must show that it is more likely than not that, on or after the date that the taxes came due, appellant had actual knowledge that the taxes were due, but not being paid. (Cal. Code Regs., tit. 18, § 1702.5(b)(2); *Appeal of AMG Care Collective, supra.*) The term "actual knowledge," means real knowledge as distinguished from presumed knowledge or

imputed knowledge. (*Intel Corp. Investment Policy Committee v. Sulyma* (2020) 589 U.S. 178, 184.) Actual knowledge may be proven through inference from circumstantial evidence. (*Id.* at 179.) Willful blindness may also be used to establish actual knowledge. (*Id.* at p. 179.) Willful blindness (deliberate avoidance) occurs when a taxpayer subjectively believes that there is a high probability that a fact exists and takes deliberate actions to avoid learning of that fact. (*Global-Tech Appliances, Inc. v. SEB S.A.* (2011) 563 U.S. 754, 769.)

The liability is based on Ark's NOD for audit period of July 1, 2014, through June 30, 2017, and partial or non-remittance SUTRs for 4Q17, 3Q18, and the period October 1, 2018, through November 15, 2018. Appellant was Ark's owner, president, sole officer, and person responsible for its sales and use tax matters, and appellant prepared numerous SUTRs, as well as FITRs for Ark. Appellant possessed the sales worksheets, as they were used in preparing the SUTRs and the FITRs.¹⁰ In addition, appellant had authority over, and consistently accessed, Ark's bank account, which lacked outgoing payments to CDTFA, yet had deposits from sales substantially exceeding amounts reported on the SUTRs.¹¹ Therefore, appellant more than likely knew of taxable sales according to the sales worksheets, as well as sales indicated by the FITRs and bank account. Appellant prepared and filed SUTRs that failed to report and pay tax due per the sales worksheets. And there was a high probability that appellant knew the SUTRs filed by the bookkeeper did the same, but she continued to delegate the filing to the bookkeeper and filed underpaid SUTRs herself, but took no corrective action, establishing deliberate avoidance. (See *Global-Tech Appliances, Inc. v. SEB S.A.*, *supra*, 563 U.S. at p. 769; see also *Vennes v. Commissioner*, T.C. Memo. 2021-93.)

Appellant filed Ark's partial or non-remittance SUTRs for 4Q17 and 4Q18, which establishes actual knowledge. As to the 3Q18 non-remittance SUTR filed by the bookkeeper, appellant was aware that SUTRs were previously filed without remittance by the bookkeeper as evidenced by appellant's discussions with CDTFA as to unpaid liabilities, including CDTFA's statement that future SUTRs must be paid in full.¹² However, appellant failed to take any

¹⁰ The FITRs were prepared using the sales worksheets and reported substantially higher gross receipts when compared to reported taxable sales.

¹¹ Appellant had numerous conversations with CDTFA as to payment plans and the initiation of electronic payments to CDTFA.

¹² On September 5, 2014, appellant called CDTFA to ask for a payment plan, to which one was agreed upon. On March 24, 2015, appellant called CDTFA to discuss a payment plan and requested to make monthly payments, and CDTFA stated that appellant must stay current with all future filings, and the SUTRs must be paid in full.

corrective action to ensure payments would be made, such as by replacing the bookkeeper. Appellant's actions establish that she actually knew or deliberately avoided knowing that the 3Q18 SUTR was filed without remittance. (See *Vennes v. Commissioner, supra* [deliberate avoidance shown where taxpayer does nothing in response to concerns raised].) Therefore, appellant had actual knowledge that the taxes were due but not being paid on or after the date the taxes became due.

Authority

Appellant was Ark's owner, president, sole officer, and responsible person for the liability periods. Appellant was consistently involved in sales and use tax matters and had authority over payments, as demonstrated by her negotiation of payment plans with CDTFA and initiating electronic payments to CDTFA. Appellant contends that a manager and the bookkeeper oversaw sales and use tax matters but provides no evidence in support of her contentions, or that their approval was required before payments were made. (See Cal. Code Regs., tit. 18, § 1702.5(b)(2)(B).) Therefore, appellant had the authority to pay the taxes or to cause them to be paid on the date that the taxes came due and when appellant had actual knowledge.

Ability to Pay

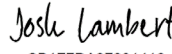
Ark had sufficient funds available during the liability period to pay the tax. Ark made rent payments totaling \$152,735.97 from 1Q16 through 4Q18, Form 1099-K records show that Ark received credit card payments of \$1,143,733 from 2014 to 2019, Ark received credit card payments of approximately \$1.2 million between October 1, 2014, and March 31, 2019, which exceed its unpaid liability, and there is no dispute that Ark collected sales tax reimbursement. Therefore, appellant had the ability to pay the taxes at issue but chose not to do so, and the element of willfulness has been met. Accordingly, CDTFA has proven that all of the requirements of R&TC section 6829 have been met and that appellant is personally liable for the amounts at issue.

HOLDINGS

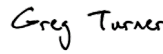
1. Appellant has not shown that adjustments are warranted to the audit liability.
2. Appellant is personally liable as a responsible person for Ark’s unpaid sales taxes, applicable interest, and penalties during the liability periods.

DISPOSITION

CDTFA’s action in denying appellant’s petition for redetermination is sustained.

Signed by:

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 Josh Lambert
 Administrative Law Judge

We concur:
 Signed by:

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 Greg Turner
 Administrative Law Judge

Signed by:

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 Kim Wilson
 Hearing Officer

Date Issued: 10/14/2025