

IN THE OREGON TAX COURT
MAGISTRATE DIVISION
Income Tax

DALE W. SCHULTZ)	
and NANCY V. LARSON,)	
)	
Plaintiffs,)	TC-MD 140038C
)	
v.)	
)	
DEPARTMENT OF REVENUE,)	
State of Oregon,)	
)	
Defendant.)	FINAL DECISION

The court entered its Decision in the above-entitled matter on April 17, 2014. The court did not receive a request for an award of costs and disbursements (TCR-MD 19) within 14 days after its Decision was entered. The court’s Final Decision incorporates its Decision without change.

Plaintiffs appeal Defendant’s Notices of Deficiency Assessment dated October 15, 2013, and November 12, 2013, for the 2009 and 2010 tax years. The parties appeared at a case management conference on April 14, 2014. Dale W. Schultz appeared for Plaintiffs and Dane Palmer on behalf of Defendant. During the case management conference, the parties entered into a verbal stipulation resolving the issues in this appeal as outlined below. Now, therefore,

IT IS THE DECISION OF THIS COURT that for tax year 2009 Defendant will allow a \$603 Schedule A contribution deduction that it previously disallowed.

IT IS FURTHER DECIDED that for tax year 2009 Defendant will accept Plaintiffs’ reported Schedule A deduction for property taxes in the amount of \$3,154.

IT IS FURTHER DECIDED that for tax year 2009 Defendant will allow an additional property tax deduction of \$3,498 on Plaintiffs’ federal Schedule E.

IT IS FURTHER DECIDED that for tax year 2009 Defendant will reverse its audit adjustment increase to “other income” by \$3,063.

IT IS FURTHER DECIDED that for tax year 2010 Defendant will decrease Plaintiffs’ federal taxable income (1040) by \$825, for interest earned on foreign bonds.

IT IS FURTHER DECIDED that for tax year 2010 Defendant will allow a \$750 Schedule A deduction for the gift of hay Plaintiffs reported on their 2010 return that Defendant previously disallowed. The parties agree that the allowance of that deduction for 2010 is not binding on other tax years not part of the present appeal.

IT IS FURTHER DECIDED that for tax year 2010 Defendant agrees to allow Plaintiffs’ Schedule A deduction for property taxes in the amount of \$3,205.

IT IS FURTHER DECIDED that for tax year 2010 Defendant will decrease Plaintiffs’ Schedule E income by \$5,093.

Dated this ____ day of May 2014.

DAN ROBINSON
MAGISTRATE

If you want to appeal this Final Decision, file a Complaint in the Regular Division of the Oregon Tax Court, by mailing to: 1163 State Street, Salem, OR 97301-2563; or by hand delivery to: Fourth Floor, 1241 State Street, Salem, OR.

Your Complaint must be submitted within 60 days after the date of the Final Decision or this Final Decision cannot be changed.

This Final Decision was signed by Magistrate Dan Robinson on May 6, 2014. The Court filed and entered this Final Decision on May 6, 2014.