

Decision of the Tax Appeal Board - Date: October 2, 1972

Docket No. 508

Frank J. Gleeson

Personal Income - Deficiency-Interest - Payment of Deficiency.

A taxpayer is liable for interest from the original due date on an income tax deficiency despite the fact that almost three years elapsed between the time his return was filed and the deficiency notice was sent. As long as a deficiency notice is timely (made not later than three years after the return is filed), interest is applicable. Moreover, the tax law does not authorize the waiver of interest. In addition, the acceptance of the taxpayer's deficiency payment (exclusive of interest) does not prevent the Division of Revenue from later collecting the interest.