

# **State of Rhode Island - Division of Taxation**

## **Taxpayer Rights and Responsibilities**

### **Regulation TRR 98-1**

Taxpayers have certain rights and responsibilities in the administration of Rhode Island tax law. To ensure consistent application of the tax law and to guarantee that the rights, privacy, and property of Rhode Island taxpayers are adequately protected during tax assessment, collection and enforcement processes, the following rights and responsibilities of taxpayers are set forth.

THE TAXPAYERS OF THE STATE OF RHODE ISLAND HAVE A RIGHT TO:

- Receive fair and courteous treatment from all the Tax Division's employees;
- Receive tax forms and information written in plain language;
- Receive prompt and accurate responses to all questions and requests for tax assistance;
- Be assured that the department will keep confidential the financial information you give it;
- Receive tax notices that provide an explanation of the amount being billed;
- Know that the department's employees are not paid or promoted as a result of money billed to or collected from taxpayers;
- Timely processing of refund claims;
- Pay outstanding tax liabilities in installments in cases of proven hardship;
- Have the department begin and complete its audits in a timely and expeditious manner after notification of intent to audit;
- Be informed at least 30 days' prior to any impending collection actions which require sale or seizure of property of freezing of assets, except jeopardy assessments;
- Designate which tax liability a payment is to be applied to;
- Have an offer of compromise on a delinquent tax liability considered by the Tax Administrator pursuant to his/her authority under RIGL 44-1-10 and any regulation pertaining thereto;
- Be provided with information regarding tax law and new developments in tax law through publications such as newsletters and synopsis booklet on Rhode Island tax law;
- Be provided with information, upon request, regarding collection efforts being made against a joint obligor of the taxpayer;

- Be represented or advised by counsel or other qualified representatives at any time in administrative interactions with the Division;
- Request that penalties be abated where there was no negligence or intentional disregard of the law;
- A full explanation of all actions by a Revenue Agent or other Examiner during an audit or a Revenue Officer during collection activities;
- Copies of an auditor's workpapers and to have a closing conference with the auditor;
- Reimbursement for reasonable litigation expenses pursuant to Chapter 42-92 if the taxpayer prevails in a contested matter and the actions of the Tax Division are without substantial justification;
- Reimbursement of bank charges resulting from an erroneous levy on a bank account;
- Abatement of penalty and/or interest where the penalty and/or interest is attributable to erroneous written advice of the Division of Taxation. The advise must have been provided in response to specific written request to the tax administration by the taxpayer and must have been reasonably relied upon.

**IT IS THE RESPONSIBILITY OF ALL RHODE ISLAND TAXPAYERS TO COMPLY WITH THE PROVISIONS OF TITLE 44 OF THE RHODE ISLAND GENERAL LAWS. THESE RESPONSIBILITIES INCLUDE, BUT ARE NOT LIMITED, TO THE FOLLOWING:**

- Business taxpayers must register with the Division of Taxation and apply for applicable tax permits and licenses required for operation;
- Business taxpayers must keep accurate and complete records for a three (3) year period;
- All taxpayers must file returns and pay taxes in a timely manner;
- All taxpayers must ensure that the information declared on their tax return is complete and accurate;
- All taxpayers must know their tax reporting obligations and seek instructions when they are uncertain;
- All taxpayers must have documentation to substantiate timely claims for refund;
- Business taxpayers must notify the Division of Taxation and pay taxes promptly when closing or transferring a business.

This regulation shall be made available to taxpayers by inclusion in the Synopsis of the Rhode Island Tax System booklet published by the Division of Taxation.

R. Gary Clark  
Tax Administrator  
Effective: January 1, 1998