

**From:** Christi Grab [REDACTED]  
**Subject:** Sigh. Another thing. Sigh.  
**Date:** August 18, 2017 at 2:30 PM  
**To:** [REDACTED]  
**Cc:** Rosas, Albert [REDACTED]



When Mr. Calhoun sent out the initial turn down letter, I thought he sent my husband and I each a copy of the same letter since the first page is the same. I just looked at the letter he sent more closely and realized it is different. And just as enraging. Sigh. Would you like a copy of that one, too?

Begin forwarded message:

**From:** Christi Grab [REDACTED]  
**Subject:** Re: Opened the FTB Letter  
**Date:** August 18, 2017 at 6:33:22 AM PDT  
**To:** [REDACTED]  
**Cc:** "Rosas, Albert" [REDACTED]

Hi Ms. Stowers and Mr. Rosas:

I forgot to grab the letters when I left the apartment yesterday. Sorry. I sent them off today.

My meeting with Mr. Dakessian went well. He is reviewing the documents that I sent him and the legal codes/case law and will get back to me next week about whether he thinks we have a strong enough case against the FTB to justify the costs of litigation. I am fully aware that my potential litigation has nothing to do with your investigation. I just want you to be aware of the severity of the situation.

At this point it is painfully clear that the practice of holding money in suspense rather than applying it to the estimated taxes as per line 95 of the 540 indicates is illegal. However, rather than admitting their bad, sending me my \$15,000 refund and changing their collection practice, they are adamantly and desperately trying to hold onto this illegal cash cow. I am sure that the FTB collect hundreds of thousands of extra dollars per year in interest, fees, and penalties that the FTB just isn't willing to give up.

The FTB is doing even more illegal things to try to avoid being caught collecting money in an illegal way.

The FTB ignored my abatement request letter until it expired, then told me "Oh it's expired. No way you can get your money back now." They re-opened it only because I complained to my legislators, the governor, and the FTB Board. With so much scrutiny, they had no choice but to re-open it. The FTB sent a totally intimidating sounding denial letter in the hopes that I would shut up and go away (see my racketeering scheme points #2 and #3 in the rebuttal letter), and that it would be official enough that those providing the scrutiny would be satisfied that the FTB is doing everything properly and no more scrutiny is needed. But that denial letter was totally bogus, and with a little analysis, it fell apart. Setting aside the suspense issue, I do have a qualifying illness and should have been granted an abatement per FTB guidelines. They also illegally denied me abatement requests for years that I had not yet applied for.

After I got the denial letter, I called over and over and over again for a week asking for the tax codes re: keeping money in suspense. I was given all kinds of weird codes, then finally told I was never allowed to call again regarding this matter.

The second letter was an even more desperate attempt by the FTB to make themselves sound legitimate, and that one contains even more lies, deceit and misinformation than the first one did. I haven't written a full rebuttal to the second letter, but I did make a few notes on it that leapt to mind as I read it that you will see. I will happily write a full rebuttal if you want me to point out everything wrong with the FTB's second letter. Its a doozy!

me to point out everything wrong with the FTB's second letter to a lawyer.

I know that you are probably annoyed that I keep bugging you, but I am worried that if I didn't point out the serious and glaring flaws in the FTB's letters, you would have done as the FTB hoped and decided that they needed no further investigation.

Thank you again for all your help.

Regards,

Christine Grab

On Aug 17, 2017, at 9:24 AM, Christi Grab <[REDACTED]> wrote:

Dear Ms. Stowers and Mr. Rosas:

Mr. Rosas, I wanted to bring you into the discourse I am having with Ms. Stowers. Below is the email chain with her. I know you did not get a copy of this latest FTB letter, so I will snail mail you a copy today.

Ms. Stowers, I'm sorry to vent. As I mentioned in the last email, I am currently enraged. Every time I have asked the FTB how it is legal to put money in suspense instead of applying it to the next year's estimated taxes as the 540 line item 95 specifies, I have been given completely irrelevant tax codes.

The letter that I just read lists this tax code as justification for putting money in suspense: [https://www.lawserver.com/law/state/california/codes/california\\_revenue\\_taxation\\_code\\_19304](https://www.lawserver.com/law/state/california/codes/california_revenue_taxation_code_19304)

As you can read for yourself, it talks about a scholarship, not putting money into suspense.

Other codes that the FTB has quoted me:

<http://law.onecle.com/california/taxation/19133.html>

Which talks about not responding to a demand notice, not about putting money in suspense. (BTW, I responded to all demand notices with proof of qualifying illness and that I had overpaid. I never got a response to any letter that I sent them)

<http://codes.findlaw.com/ca/revenue-and-taxation-code/rtc-sect-19104.html>

Which talks about how I may have legal foothold to protest fees since the delays were due in part to "errors" made by the FTB (i.e. losing estimated tax payments, giving me incorrect information, etc), but only if the error is 100% their fault. Not a word about holding money in suspense.

I have to dig up the other tax codes quoted to me, but they were things like: how an employer is supposed to collect estimated taxes and how demand penalties are assessed — always things that clearly had nothing to do with the suspense money. The way the FTB randomly throws out irrelevant codes makes it appear that they assume that any legal code they offer says what they want it to say, with no regards to what it does actually say.

The only code that I have gotten that MAY be applicable was provided in this latest letter: [https://www.lawserver.com/law/state/california/codes/california\\_revenue\\_taxation\\_code\\_19363](https://www.lawserver.com/law/state/california/codes/california_revenue_taxation_code_19363). I have to check with the attorney today, but if I am reading this right, I think tactually proves they are violating the law? I could be misinterpreting it. We'll see what the lawyer says!

Thank you both for all your help. I do feel better knowing that this issue is being looked into.

Regards,

Christine Grab

Begin forwarded message:

**From:** Christi Grab [REDACTED]  
**Subject:** Opened the FTB Letter  
**Date:** August 17, 2017 at 8:44:56 AM PDT  
**To:** [REDACTED]

Hi Ms. Stowers:

I just opened and read the FTB letter. Like the turn down letter, it sounds official and legal on the surface, but when you analyze it, it is a pile of horse dung: sketchy legal codes, evading some of my most salient points altogether, and some blatant lies. I am glad that I waited to read it as I am back to being enraged.

The letter says that Betty Yee and Michael Cohen were both CC'd on it. Did you receive a copy of the letter? If not, I'll put one in the snail mail today when I pick up my son from school at noon.

My meeting with the attorney, Marty Dakessian, is at 10:00 am this morning. I will for sure hire him to file the BOE appeal, and I'll let you know what he says about whether I have a case against the FTB for illegal practices.

Thank you again for your attention to this matter.

Regards,

Christine Grab

On Aug 11, 2017, at 9:14 AM, [REDACTED] wrote:

Hello Christi,

Thank you for your email below and the subsequent email with the attachment. I will investigate your concerns regarding the Franchise Tax Board.

Regards,

**Yvette M. Stowers** / Deputy Controller, Taxation  
Office of State Controller Betty T. Yee  
300 Capitol Mall, Suite 1850  
Sacramento, CA 95814 / [REDACTED]

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**From:** Christi Grab [REDACTED]  
**Sent:** Thursday, August 10, 2017 10:26 AM  
**To:** Stowers, Yvette [REDACTED] >  
**Subject:** Back ground info

Hi Ms. Stowers:

First of all, thank you for looking into this. I genuinely appreciate it. While I am frustrated that things had to get so bad to get your attention, I also know that you guys have been consumed with the BOE re-org. Now that the BOE is (hopefully) fixed, maybe you can work on the FTB! Sorry I was so heated yesterday. As I said, I have been unfairly harassed by the FTB for 6 years now, and that letter from Mr. Calhoun was the last straw for me.

Enclosed is a series of letters that I sent out last November. It is the same letter over and over to various people. The letters are dated October 2016, but that was a typo. I had cut and pasted the addresses/dates from the original letters that I had sent in October 2016. and forgot to change the

dates. I have sent you the second letter instead of the first because it was more detailed than the first one and gives a clearer picture of our situation. I think you'll get a sense of why I had become desperate enough to start contacting legislators. The questionable behavior on the part of the FTB just continued to escalate from here.

I am curious to know why the FTB copied you on the abatement turn-down letter, but refuse to copy you on the second letter. I find that peculiar. I will forward you a copy after I open it. As I said on the phone, I was enraged for 10 days after reading the last letter. I was too distracted and angry to be a good wife/mom, and my kidney disease took a serious down turn while I was so mad. I've decided that for the sake of my health and my family, I really need to let an attorney take over.

That said, I am happy to answer any questions you have to fill in any holes you may not understand. Our case is complicated as I have had many, many problems with the FTB above and beyond the "suspense" issue that I believe is illegal.

Thank you again.

Regards,

Christine Grab