**VIRGINIA**

1. **Is penalty abatement available?**
	1. Yes
2. **What is the statute/law that authorizes the state to abate penalties?**
	1. [23 VAC 10-110-229](23%20VAC%2010-110-229%20Qualified%20Equity%20and%20Subordinated%20Debt%20Investments%20Tax%20Credit.rtf). Qualified Equity and Subordinated Debt Investments Tax Credit; required equity and subordinated debt investment holding period.
	2. [§ 58.1-1835](581-1835%20Abatement%20of%20any%20tax%20interest%20and%20penalty%20attributable%20to%20erroneous%20w.rtf). Abatement of any tax, interest, and penalty attributable to erroneous written advice by the Department
3. **What is the statute/law/guidance (internal memorandum to employees reviewing PA requests) that outlines what justifies relief?**
	1. [§ 58.1-1845](Statute%20581-1845%20Virginia%20Taxpayer%20Bill%20of%20Rights.rtf) Virginia Taxpayer Bill of Rights
4. **Is there a specific form that must be filed to request abatement, or does the taxpayer just submit written statement. What needs to be included in the statement if the state does not have a form?**
	1. Write to the Tax Commissioner describing the type of tax involved, taxable period, date and amount of the bill, and include a detailed explanation, along with supporting documentation, of the reasons why the tax, penalty or interest should be reduced or waived.
	2. [Form OIC](FORM%20OIC-Individual.pdf)—Individual
	3. [Form OIC](FORM%20OIC-Business.pdf) – Business
5. **Where and how are the requests submitted?  Can they be made orally over the phone through an authorized POA? Must the submissions be mailed, or can they be faxed?**
	1. [Form PAR101](Form%20PAR101%20POA.pdf) POA
	2. Mail the completed form and attachments to:
		1. Tax Commissioner

Virginia Department of Taxation Attn: CICT

P.O. Box 2475

Richmond, VA 23218-2475

* 1. Call (804) 367-8031 for assistance