



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

May 17, 2013

Control Number: SBSE-05-0513-018
Expiration Date: May 17, 2014
Impacted: IRM 5.1.8
IRM 5.1.9
IRM 1.4.50

MEMORANDUM FOR DIRECTORS, COLLECTION AREA OPERATIONS

FROM: Scott D. Reisher /s/ **Scott D. Reisher**
Director, Collection Policy

SUBJECT: Interim Guidance for Collection Due Process (CDP) Other
Investigations (OI)

This memorandum provides interim guidance on the use of a new assignment number for CDP OIs. It also eliminates the need to open a CDP OI each time a CDP is sent to Appeals. Only one CDP OI is required even if there are multiple CDP requests.

Opening CDP OIs

The Revenue Officer (RO) opens a CDP OI when a CDP request is sent to the group manager for approval of the transfer to Appeals. The CDP OI is opened even if there are other periods open that are not part of the CDP hearing. The CDP OI is for monitoring control purposes only. If other periods close prior to the conclusion of the CDP proceeding, the case will not drop off ICS. If there are multiple CDP requests, only one CDP OI is needed to serve as the control.

To open the CDP OI, the RO should use the Collection Appeals history template in ICS to document the request for transfer to Appeals. This results in systemic creation of the CDP OI. If the Collection Appeals history template is not used, the RO needs to ensure the OI is opened as a CDP/Equivalent Hearing OI. If

subsequent hearing requests are received and there is already an open CDP OI, do not open another CDP OI. Only one CDP OI is needed to control multiple CDP requests.

When the group manager (GM) approves the transfer of the CDP to Appeals, he or she needs to confirm that a CDP OI is open.

Controlling CDP OIs

The CDP OI is initially assigned to the RO who is sending the CDP to Appeals. Once receipt of the CDP in Appeals is confirmed and there are no open Bal Dues or Del Rets and no further collection actions are warranted on the case, the CDP OI should be assigned from the RO assignment number to the CDP Appeals Hold File number (AOTO XX91) for monitoring at the group level. Before requesting transfer of the CDP OI to AOTO XX91, the RO will update the CDP OI Closure Due Date for 270 days from the date Appeals received the CDP.

Review AOTO XX91 ICS Notifications periodically per IRM 1.4.50.9.2, *Group Hold Files*, for Appeals closures and/or reassignment to an RO. If a new assignment, i.e., Bal Due or Del Ret, is received, the GM will transfer the CDP OI back to the RO assigned the Bal Due / Del Ret case. If the new Bal Dues / Del Rets are resolved and Appeals still has an open CDP case, the RO will request transfer of the CDP OI back to the CDP OI hold file, AOTO XX91, if no further collection actions are warranted. If the Bal Due or Del Ret is transferred to another group, the CDP OI also transfers.

Closing CDP OIs

When Appeals has closed all the CDP modules, the CDP OI also needs to be closed. The CDP OI should be closed as soon as practical after receiving the Bal Dues back into Status (St) 26 or, if resolved in Appeals, ensuring the case is in the appropriate status, i.e. St 12, 60 or 53. Upon receipt of a closed case, if the TC 521 to reverse the St 72 has not been input, contact the Appeals Account Resolution Specialist (AARS) via email at [*AP Account Resolution](#) for corrective action.

Current Actions Needed

In an effort to reconcile and perfect the CDP OI inventory, please complete the following actions:

- Close instances of multiple CDP OIs since only one CDP OI is needed to keep the case open on ICS while CDPs are open in Appeals.
- Close any CDP OI where the CDP is no longer open in Appeals.
- Assign to AOTO XX91 any CDP OI that is solely for monitoring.

This guidance will be incorporated into IRM 5.1.8, IRM 5.1.9 and IRM 1.4.50 not more than one year from the date of this memorandum.

If you have any questions, please feel free to contact me, or a member of your staff may contact Senior Program Analysts, Tasia Agne or Cartha Haworth. Field personnel should direct any questions, through their management staff, to the appropriate Area contact.

cc: Director, Field Collection
www.irs.gov