

# Accessing and Communicating

With the  
Internal Revenue Service

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**Presented by:**

The  
Texas Society of Enrolled Agents

Ricardo Rivas, EA – President

[www.TxSEA.org](http://www.TxSEA.org)

1-800-465-2767

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- ### Guide to Success
- Tax professionals and the IRS
  - Resources
  - Available information
  - Where to find
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## Transcripts

- Form 4506 – Copy of Return – Cost \$57
- Transcript – Free of Charge
- Order – 800-908-9946 or [www.irs.gov](http://www.irs.gov) – Order a Transcript

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## Transcripts continued

- Form 4506-%-EZ – Short Form

Filing information  
3<sup>rd</sup> party documents  
Non-filing confirmation

Can be downloaded or call 800-829-3676

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## Lien Processing

- Processing Operation Contact
- Cincinnati, OH – Address page 3
- IRS has centralized lien processing operation

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### Federal Tax Lien Process

- Definition  
IRS legal claim to taxpayer's property
- Notice of Federal Tax Lien  
Necessary to establish priority rights
- Releasing a Lien  
30 days after taxpayer satisfies liability

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### Self-Releasing Liens

- After 10 years AND
- IRS does **not** extend by re-filing
- 30 days after 10 year period ends

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### Partial Releases

- Tax liability owed by more than one person
- One individual may resolve all or part of the liability leaving another responsible for the remainder
- Partial release only relieves person identified.

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### Revocation of Release

- IRS errs in issuing Release of the Notice of Federal Tax Lien
- OIC default – Collateral Agreement
- IRS may revoke and establish lien priority

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### Withdrawal of Notice

- IRS may withdraw Notice of Federal Tax Lien if:
  - Notice filed prematurely or incorrectly
  - Installment Agreement entered
  - Withdrawal expedites collection
  - Withdrawal in best interest of taxpayer and government

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### Certificate of Discharge

- Taxpayer, transfers property subject to lien
- Property released from lien

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### Certificate of Subordination

- Creditors
- May refuse credit to taxpayer unless debt satisfied before Federal Tax Lien.

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### Form 843 – Claim for Refund Penalty Abatement Request

- Waiver of penalty  
Action reasonable and in good faith OR  
Based upon incorrect IRS employee advice
- Claims worked at the IRS Campus where return filed
- Form 843 at [www.irs.gov](http://www.irs.gov) or call 800-829-1040

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### OIC

- Questions and Answer format – Page 7
- Payments Non-refundable
- Federal Tax Liens not released
- Payments may be designated – Fee \$150

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### OIC's continued

- IRS keeps refunds
- Levies served prior to filing OIC
- Statutory period suspended
- Five year compliance

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### OIC continued

- Low-income exception, otherwise
- \$150
- Appeal
- Approved Installment Agreement

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### Mandatory Acceptance

- IRC 7122(f)
- OIC not withdrawn, returned or rejected within 24 months of IRS receipt date
- Deemed "accepted"

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### Innocent Spouse Processing

- Helpful tool – Page 9
- Requesting Spouse – Form 8857
- Non-Requesting Spouse – may participate in determination

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### EITC Claims

- EITC – Home Page – Do You Qualify
- EITC Assistant – Aid in determining qualification
- Basic Rules

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### Office of Professional Responsibility

- OPR
- Mission – enforces consistent standards of competence, integrity and conduct for  
Tax Professionals

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### OPR continued

- Contact information – Page 11
- Karen L. Hawkins, Director
- Stakeholders:
  - NAEA            NACTP            ABA
  - NATP            NSA                NSTP
  - AICPA

11 & 12

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### Return Preparer Office

- David Williams, IRS Executive
- PTIN requirements for Tax Return Preparers
- Testing – Registered Tax Return Preparers
- Education

12-14

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### Reporting Suspicious Activity

- Suspicious Activity Reports – SARs
- Main weapon against money laundering
- 1 to 2 trillion dollars worldwide

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### Examples of Suspicious Activities

- Individual paying has unusual or chemical-like odor
- 16 year old brings bags of money to transmitter to transfer from NYC to Miami
- Retired CPA sends and receives money transfers of more than \$2,000 to and from many different people
- Customer with \$11,000 cash transaction attempts to bribe employee not to file a Currency Transaction Report

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### SAR Filing Information

- To report use Form 109
- Sent to Detroit Computing Center or file electronically
- Penalties for failure not to report – not to exceed \$100,000 or \$25,000, including criminal penalties with fine of \$250,000 or 5 years imprisonment

15 & 16

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### E-Services

- Variety of On-Line tools for the Tax Professional
- How to register on Page 16
- EAs, CPAs, Attorneys and Reporting Agents

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### Where's My Refund

- Allows tracing of refunds
- 28 days after IRS mailing date
- Faster for e-filed returns
- Taxpayer can access

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### Practitioner Priority Service

- First Point of Contact
- Toll-free
- IMF Accounts
- BMF Accounts

18 & 19

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### E-File

- Authorized e-file provider
- Most tax Forms
- Free
- Insures receipt of return by IRS

19-22

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## EFTPS

- Form 8109 no longer available – 1/1/11
- Free service by Dept. of Treasury
- Service may be provided by Tax Professional

22 & 23

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## Understanding Your IRS Notice or Letter

- IRS Notice Redesign
- Notices in Spanish
- Able to assist client with knowledge of CP# without seeing notice

23-34

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## Online Payment Agreement

- Determine eligibility
- \$25,000 or less in Tax, Penalty and Interest
- Gather information
- Submit application

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### EIN On Line

- 3/15/11 – EINs with on line application
- 45-XXXXXXX
- Home-Care service DO NOT apply on line
- Flexible hours – Page 35

35 % 36

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### Taxpayer Advocate Service

- Voice at IRS
- Free service to meet your needs
- Available if other IRS channels did not work
- Systemic problems

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### Telephone and Web Addresses

- Frequently called telephone numbers
- Power of Attorney and Form 8821 filing addresses
- Websites
- And, our best source of IRS information.....

37 & 38

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**Best IRS Source**

www. IRS.GOV

The Tax Professional's Page

Tools for the Tax Professional

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**Correspondence**

- To prevent delays in responding
- Copy of Notice
- File with Service Center that sent notice

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**E-mail**

- Safeguard privacy and confidentiality of taxpayers
- E-services is available
- TIGTA warns further investigation warranted

38 & 39

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## Nationwide Tax Forums

- Dallas, TX            July 26-28
- Hilton Anatole
- Hard to resolve cases

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## Follow the IRS

- YouTube
- Twitter
- <http://go.usa.gov/29C>

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## TxSEA

- Texas Society of Enrolled Agents
- Proud association with all tax professionals in the State of Texas who Serve and Protect their taxpayers and Assist them to file complete and accurate tax returns.
- Enjoy the rest of your conference!

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