



NOTE TO PARTICIPANTS: WE WILL ONLY HAVE A VERY LIMITED NUMBER OF AVAILABLE HARD COPIES OF THESE MATERIALS. PLEASE PRINT THESE MATERIALS AND THE LINKED IRS PUBLICATIONS (SEE IRS PUBLICATIONS PAGE) IF YOU WOULD LIKE TO FOLLOW ALONG DURING THE PRESENTATIONS.

25th Annual IRS Town Meeting

June 12, 2019



Agenda

Session 1 **Hot Topics – Cybersecurity and Data Compromise** 8:45 to 9:35

Mary Hanson, Senior Stakeholder Liaison (IRS) | Joseph McCarthy, Senior Stakeholder Liaison (IRS) | William Philbrick, Senior VP, Greenberg, Rosenblatt, Kull & Bitsoli, PC

Session 2 **Keynote Speaker – What’s New from SB/SE Division** 9:35 to 10:25

Mary Beth Murphy, IRS Commissioner - Small Business/Self Employed Division, Washington, DC

Break **Refreshments Served** 10:25 to 10:35

Session 3 **Featured Speaker – FY 2019 Non-Filer Program** 10:35 to 11:25

Fred Schindler, Director HQ Collections (IRS), Washington, DC

Session 4 **Taxpayer Advocate Service Panel** 11:25 to 12:15

Elizabeth Blazey-Pennel, Acting Deputy Executive Director for Case Advocacy (IRS) | Robert Allen, Local Taxpayer Advocate, (IRS) | Michael Shamgochian, Tax Advocacy Panel (TAP) member | Audrey Patten, Clinical Instructor, Harvard Federal Tax Clinic

Luncheon **Deductions before and after the TCJA** 12:25 to 1:35

Scott Thomas, Bentley University | Terry Durkin, Durkin & Associates

Session 5 **Understanding the Appeals Process** 1:50 to 2:40

Ann Gilbert, Supervisory Appeals Officer (IRS) | Michael Blais, Appeals Officer (IRS)

Break **Refreshments Served** 2:40 to 2:50

Session 6 **Ethics in Tax Practice** 2:50 to 4:30

Richard J. Spead, Ph.D., Founder and Managing Member of the Spead Tax Group, PLLC

Session 1

8:45 to 9:35 a.m.

Hot Topics – Cybersecurity and Data Compromise

Mary Hanson, Senior Stakeholder Liaison (IRS) | **Joseph McCarthy**, Senior Stakeholder Liaison (IRS) | **William Philbrick**, Senior VP, Greenberg, Rosenblatt, Kull & Bitsoli, PC

“Your” Plan should at a minimum involve:

- ✓ Company leadership and all levels of management
- ✓ Data protection office
- ✓ Legal
- ✓ Security
- ✓ Human Resources
- ✓ Employees
- ✓ Vendors

WHO is Your Team?

- ✓ Management at all levels
- ✓ Human Resources
- ✓ Legal:
 - Employment
 - Privacy
 - Regulatory
 - Insurance

Management Information Systems

- ✓ Safety and soundness checks
- ✓ MIS checks
- ✓ Forensic considerations

Data Protection Officer

- ✓ Enterprise security role required by GDPR
- ✓ Oversight of strategy and implementation in compliance with legal requirements

Active Policies Needed

- ✓ Coordination planning policy
- ✓ Integration of existing documents
- ✓ Privacy policy
- ✓ Hacking/recovery/incident response policy
- ✓ Record retention policy
- ✓ Corruption policy
- ✓ External privacy audits
- ✓ Vendor management policy
- ✓ Data mapping and retention policy

Team Work

- ✓ The entire team has a part to play (you cannot designate role to one or two persons either within or outside the Company):
 - Give notice to all
 - Acknowledge buy-in by ALL
 - Set implementation
 - Provide ongoing guidance, support, and training
 - Keep data to a minimum
 - Avoid over-collection of data
 - Enforce data retention and destruction policy
 - Make vendors a part of your team

Keep Your Employee Handbook Current

Mitigating Risk

- ✓ External Risks
 - Hacking/theft/malware, etc.
 - Safety and soundness breaches
 - Vendor management
 - Landlord/tenant
- ✓ Internal Threats
 - Employee negligence
 - Disgruntled (former and current) employees
 - By your own devices
- ✓ Identifying Risk
 - Employee training
 - Annual review and update
 - Appropriate access
 - Company-wide policy in place for response
 - Period monitoring and testing

Expect the Unexpected

Know your Duties and Obligations

Remember Not If, But When

You Can't Protect Everything

- ✓ Define what you are trying to protect
- ✓ Know your normal metrics
- ✓ Have tools/systems to identify a breach and an incident
- ✓ Develop post-breach plan
- ✓ Consider a breach laptop
- ✓ Back-Up/Restore software
- ✓ Key APP licenses keys
- ✓ Ransomware eradication tools
- ✓ Have current offline back-ups
- ✓ Coordinate with your mandated Written Security Plan (WISP)

IRS Publications Referenced in Session:

IRS Publication 4557	https://www.irs.gov/pub/irs-pdf/p4557.pdf
IRS Publication 5293	https://www.irs.gov/pub/irs-pdf/p5293.pdf
IRS Publication 5294	https://www.irs.gov/pub/irs-pdf/p5294esp.pdf

Session 2 9:35 to 10:25 a.m.

Keynote Speaker – What’s New from SB/SE Division

Mary Beth Murphy, IRS Commissioner - Small Business/Self Employed Division,
Washington, DC

The purpose of Taxpayer Digital Communication is to expand use of technology and evolve towards more interactive and efficient ways of doing business using Secure Messaging within Taxpayer Digital Communications (TDC).

- TDC is an online suite of web-based secure communication tools and includes secure messaging as well as other tools like video meetings and text chat.
- Secure messaging is not normal email, but a message box within a secure portal (like your bank or credit card) allowing the IRS and the Taxpayer to correspond back and forth digitally. Participants will receive a generic email/short message service (SMS) when a new message is in their inbox.
- The SB/SE Campus Examination Taxpayer Digital Communication (TDC) Pilot Program launched in December 2016. It is testing the use of secure messaging to replace paper correspondence and phone calls between taxpayers and tax examiners. Taxpayers can attach their supporting documents to the messages for the examiners.
- There is a new YouTube message providing information to help taxpayers submit their audit documentation in an organized way. It is titled [Organizing Files for Correspondence Exams](#) and is available on the IRS.gov YouTube site. The message is good for all audits, but it helps tax examiners receiving attached supporting documents review the required information to close the audit more proficiently.
- The pilot began with Schedule A - Itemized Deductions correspondence audits and expanded to include Education and Child Care Credit audits. The pilot is being conducted in the Philadelphia Correspondence Examination Operation and will expand to include the Brookhaven (Holtsville, NY) Correspondence Exam Operation around April 15, 2019.
- In addition to adding the Brookhaven office, our plans for calendar year 2019 are to expand this effort to 45,000 taxpayers and adding Schedule C Profit or Loss From Business (Sole Proprietorship) cases to the list of included audit issues.

- This is an invitation only pilot program and taxpayers and their tax representatives can sign up to participate only if they receive a notice inviting them to take advantage of this option.
- This pilot includes Representatives/POAs. The taxpayer must have successfully signed up for TDC, and the authorization for the specific taxpayer must already be processed.
- Taxpayers and third-party representatives will be required to pass the E-Authentication procedures similar to the current IRS Get Transcript process.
- After passing through E-Authentication (under their own SSN), the representative will have access to their own secure message mailbox in TDC to communicate with the IRS and receive copies of their client's messages.
- The project included 28,000 taxpayer invitations to use the on-line service over the last two years. As of December 2018, over 3,100 taxpayers successfully signed up to use TDC in the pilot.

IRS Publications Referenced in Session:

IRS Publication 5307

<https://www.irs.gov/pub/irs-pdf/p5307.pdf>

IRS Publication 5318

<https://www.irs.gov/pub/irs-pdf/p5318.pdf>

Session 3 10:35 to 11:25 a.m.

Featured Speaker – FY 2019 Nonfiler Program

Fred Schindler, Director HQ Collections (IRS), Washington, DC

Nonfiler program background

- Nonfilers are identified as taxpayers with a liability to file a federal tax return for a specific period, but who have not filed by the return due date or extended due date.
- The IRS identifies nonfilers through systemic processes, including:
 - document matching,
 - analytics based on information systems,
 - individual case work,
 - information-sharing with states, and so on.

So, why is there a need for a nonfiler program?

	Total universe (per year)	"Productive Work"	FY2019 Work Plan	FY2020 Work Plan
BMF	~60M	11M	2.1M	2.3M
IMF	~70M	10M	2.0M	3.56M
WHC		~2.5M	300K	450K

2018 program strategy

- The 2018 strategic vision is “to reduce the nonfiler portion of the tax gap at the earliest intervention with the least burden on taxpayers.”
- A major assessment of the current nonfiler strategy concluded that:
 - **A continuing focus on nonfilers is critical** to promoting voluntary compliance.
 - **Declining budget and staffing resources** create difficult choices for leadership about where and how to apply resources.
 - **The trade-offs required** to achieve each of the goals, and to address all compliance work, are dynamic and require balance.

- **Effective analytics** will help drive the decisions regarding comparative value and resource allocation decisions. Hiring and funding are not the sole answer.

Current program goals

- Ultimate program goal is: “to achieve balance between our actions to secure tax returns and payment, while simultaneously improving existing resources to increase the efficiency and effectiveness our actions.”
- Current strategic goals are to:
 - A. Identify and prioritize nonfiler work to maximize dollars collected
 - B. Promote ongoing voluntary filing compliance through existing programs and processes
 - C. Increase operational efficiencies and effectiveness throughout our existing nonfiler programs and processes.
- Goals **A** and **B** reflect a tension common to all of IRS’ work: that between short-term revenue and long-term compliance within the constraints of available resources.
- Goal **C** delivers capabilities to support the achievement of Goals A and B.

Case identification and creation

- **Case Creation Nonfiler Identification Process (CCNIP)**
 - Used to identify individual and business nonfilers for case creation.
 - Individual taxpayers
 - Cases are selected several times per year from a reduced population of approximately 10 million.
 - The system presents cases for selection based on certain case attributes.
 - Potential case inventory is then sorted using hierarchal selections codes.
 - Certain selection codes are among the highest priority, such as:
 - High Income Nonfiler,
 - Federal Employee/Retiree Delinquency Initiative, and
 - Taxpayers with a prior history of an Installment Agreement, Offer in Compromise, or Withholding Compliance issues.
 - Business taxpayers:
 - Cases are selected every week from a total population of more than 180 million.
 - The system presents cases for selection based on certain case attributes.
 - The selection process is flexible and frequent, allowing the IRS to react to changing areas of emphasis and concern.
 - Potential case inventory is then sorted using hierarchal selection codes.

- These codes reflect IRS' emphasis on certain segments of the potential population of business-related nonfiler cases.
- Employment taxes are among the highest priority for selection.

Case treatment

- **Automated Substitute for Return program (ASFR)**
 - It affects **individual taxpayers** who have not filed tax returns voluntarily, but whose available income information substantiates a significant income tax liability requiring they file a tax return.
 - The IRS issues a series of notices advising the taxpayer of the delinquency condition.
 - If the taxpayer does not respond to the notices, a final notice is sent informing them that the Service is authorized to prepare a substitute return unless they file a correct signed return within the period allowed by the notice.
 - The IRS determines and assesses a correct tax liability by securing valid income tax returns from taxpayers, or by computing tax, penalties, and interest, based upon Information Reporting Program (IRP) information submitted by payers, combined with other internally available information.
 - High Income Nonfilers are among the highest priority for individual case selection process.
 - This is one of the key compliance programs within the Service – without costly field investigation.
 - The purpose of this program is to assess the tax liability and promote voluntary compliance by either:
 - Securing a valid voluntary income tax return from the taxpayer.
 - Computing tax, interest and penalties based upon Information Return Program (IRP) documents submitted by payers, or other internally available information.
- **Automated 6020(b)**
 - This process promotes employment tax filing compliance by identifying **business taxpayers** with employment tax requirements who have no filed for a specific period.
 - The IRS systemically issues a notice to the business taxpayer to secure the missing return.
 - If the taxpayer does not respond or file the missing return, the system will file a return on behalf of the taxpayer.
 - A 6020(b) works Forms 941, 940, 943 and 944 where data is available to calculate wages and tax.
- **Delinquent Return Refund Hold program (DRRH)**

- This is another key compliance program and works in harmony with the Automated Substitute for Return and Withholding Compliance programs to increase filing and payment compliance.
- It systemically holds an **individual taxpayer's** income tax refund when they filed a current or prior year refund return and their account has at least one unfiled tax return within the five years surrounding that return.
- The refund is used to offset any balance due on the delinquent return(s). If there is no balance due, or an amount remains after offsetting, the refund is released to the taxpayer.
- The threshold for the amount of the return is manipulated to match inventory and compliance needs.
- **Withholding Compliance program (WHC)**
 - This program is a key component to increasing **individual taxpayer** filing compliance.
 - It is designed to address individual taxpayers who are attempting to avoid the income tax withholding requirement by overstating their withholding allowances, or improperly claiming to be exempt from withholding – which leads to inaccurate or missing tax returns.
 - It identifies potential withholding non-compliance cases based on a review of Form W-2, Wage and Tax Statement, rather than using Form W-4.
 - The IRS uses information reported on Forms W-2 to more effectively identify taxpayers with withholding problems.
 - In instances where a serious under-withholding problem exists for a particular taxpayer, and they have either an unfiled return or a balance due, the Service may issue a lock-in letter to the employer.
 - A lock-in letter directs the employer to disregard the taxpayer's Form W-4 and withhold using the marital status and number of allowances specified by the IRS.
- **Examination**
 - Other IRS offices, such as Campus Collection, Campus Exam, and Large Business & International (or LB&I) support the Nonfiler program through examination and correspondence.
 - Each of these IRS areas have projects and campaigns to focus on areas of emphasis, such as High-Income Nonfilers.

Current education activities

- **Soft Notice Pilot (individual taxpayers):**
 - This is focused on slightly nudging the taxpayer into compliance as opposed to enforcement activities.
 - The IRS continues to analyze taxpayer behavior to address filing compliance.
 - The IRS is testing the timing of notices, as well as frequency to impact filing compliance.
- **Soft Notice Pilot (individuals with potential withholding compliance issues):**

- The taxpayer is not formally enrolled in the WHC program and no lock-in letter is issued.
- In instances where a serious under-withholding problem exists for a particular taxpayer, the Service may issue a lock-in letter to the employer. This notice directs the employer to disregard the taxpayer's Form W-4 and withhold using the marital status and number of allowances specified by the Service.
- This informs the taxpayer that they may be underwithheld and they should verify their status at IRS.gov.
- If warranted, the taxpayer should submit a new Form W-4 to their employer claiming the proper number of withholding allowances.
- **Educational Letters:**
 - The IRS is preparing educational letters to taxpayers who have not filed tax year 2018 returns during the 2019 filing season.
 - This approach is intended to identify and directly contact taxpayers who have historically received refunds, but who may potentially owe taxes this year for the first time and have not yet filed.
- **Communications**
 - Plan developed to target internal and external stakeholders.
 - Various communications were issued prior to the 2019 filing season deadline including: YouTube videos, social media messages, presentations to external stakeholders, news releases, and so on.
 - Key external messages:
 - File timely even if you can't pay your balance in full (avoid interest and penalties)
 - File and find information on payment options (IRS online resources)
 - IRS.gov tools (withholding calculator)

Guidance for tax professionals and clients

- **What can tax professionals do to help?**
 - Make sure the IRS has the taxpayer's current address on file as the primary address, so they receive IRS correspondence.
 - If they are responding to a notice by filing a return, double check the address is current on the form.
 - If the taxpayer has an ID Theft IP PIN (due to ID Theft) they should include the correct number, also.
 - Please make sure your client doesn't have bogus filing requirements – and if they do, take the appropriate action to resolve this issue.
- **What advice should you give your nonfiler clients?**
 - **Don't panic.**
 - Simply responding will take care of most IRS letters and notices.

- **Do not ignore the letter.**
 - Most IRS notices are about federal tax returns or tax accounts. Each notice deals with a specific issue and includes specific instructions on what to do.
 - Read the letter carefully; some notices or letters require a response by a specific date.
- **Respond timely.**
 - A notice may likely be about changes to a taxpayer's account, taxes owed or a payment request.
 - Sometimes a notice may ask for more information about a specific issue or item on a tax return.
 - A timely response could minimize additional interest and penalty charges.
 - If responding by filing the late return, ensure the late return has the taxpayer's current address. Sometimes, taxpayers send copies that include an old address.
- **Taxpayers must respond to a notice they do not agree with.**
 - They should mail a letter explaining why they disagree to the address on the contact stub at the bottom of the notice.
 - Include information and documents for the IRS to consider and allow at least 30 days for a response.
- **There is no need to call the IRS or make an appointment at a taxpayer assistance center for most notices.**
 - If a call seems necessary, use the phone number in the upper right-hand corner of the notice.
 - TPs can establish an online account/profile where the taxpayer can view information return documents and check the status of their account.
 - Be sure to have a copy of the related tax return and notice when calling.
- **Always keep copies of any notices received with tax records.**

Additional resources:

IRS.gov

- Tax Topic Number 653: IRS Notices and Bills, Penalties, and Interest Charges
- Non-filer Investigations - Criminal Investigation (CI) webpage
- News Releases: With tax-filing deadline nearing, IRS says about 50 million still need to file

YouTube – IRS Video

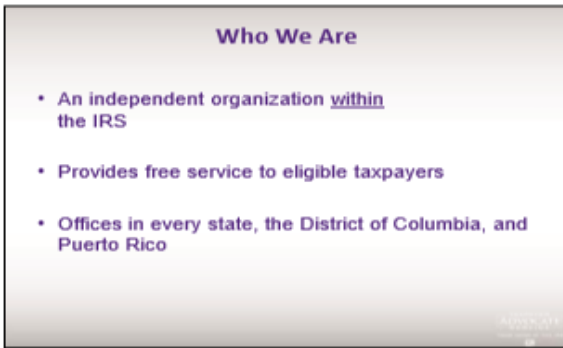
- Can't Pay Your Taxes? Why It's Still Important to File Your Tax Return

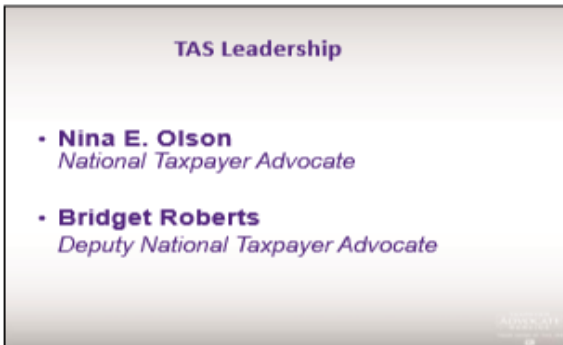
Session 4 11:25 to 12:15 p.m.

Taxpayer Advocate Service Panel

Elizabeth Blazey-Pennel, Acting Deputy Executive Director for Case Advocacy (IRS) | Robert Allen, Local Taxpayer Advocate, (IRS) | Michael Shamgochian, Tax Advocacy Panel (TAP) member | Audrey Patten, Clinical Instructor, Harvard Federal Tax Clinic







TAS Offices

- Office of the National Taxpayer Advocate
 - Washington, D.C.
- Local TAS offices nationwide
 - One or more in every state
 - One in the District of Columbia
 - One in Puerto Rico



What We Do

TAS:

- Protects taxpayers' rights by ensuring all taxpayers are treated fairly, and that they know and understand their rights under the Taxpayer Bill of Rights (TBOR)
- Helps individuals, businesses, and exempt organizations where a system or procedure has either failed to operate as intended or efforts have failed to resolve the problem or dispute within the IRS.

If you qualify for help, your advocate will be with you at every turn and do everything possible to assist you.

TAS is your voice at the IRS!



Other TAS Programs

Low Income Taxpayer Clinics (LITCs):

- LITCs represent low income taxpayers who have a controversy with the IRS, including taxpayers who speak English as a second language
- LITCs provide services for free or no more than a nominal fee
- Find the nearest LITC at www.taxpayeradvocate.irs.gov/litcmap



How to Contact TAS

Your local advocate's number is in your local directory and at: www.taxpayeradvocate.irs.gov/contact-us

Or

- Fax or phone the Local Taxpayer Advocates listed in Publication 1546, *Your Voice at the IRS*
- Call the NTA Case Intake Line: 1-877-777-4778
- Download Form 911, *Request for Taxpayer Advocate Service Assistance*, from irs.gov

ADDITIONAL

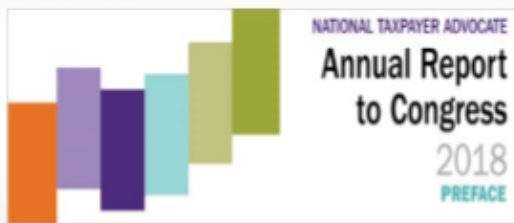
2018 Annual Report to Congress



[2018 Annual Report to Congress](#)

ADDITIONAL

2018 Annual Report To Congress: The Taxpayer's Journey



ADDITIONAL

Most Serious Problem #3

- NAVIGATING THE IRS: Taxpayers Have Difficulty Navigating the IRS, Reaching the Right Personnel to Resolve Their Tax Issues, and Holding IRS Employees Accountable

AMERICAN
OVERSIGHT

Most Serious Problem #5

- FALSE POSITIVE RATES: The IRS's Fraud Detection Systems Are Marred by High False Positive Rates, Long Processing Times, and Unwieldy Processes Which Continue to Plague the IRS and Harm Legitimate Taxpayers

AMERICAN
OVERSIGHT

2018 Annual Report To Congress: False Positive Rates



AMERICAN
OVERSIGHT

Most Serious Problem #11 and #12

- **POST-PROCESSING MATH ERROR AUTHORITY:** The IRS Has Failed to Exercise Self-Restraint in Its Use of Math Error Authority, Thereby Harming Taxpayers
- **MATH ERROR NOTICES:** Although the IRS Has Made Some Improvements, Math Error Notices Continue to Be Unclear and Confusing, Thereby Undermining Taxpayer Rights and Increasing Taxpayer Burden

APRIL 2018

Most Serious Problem #8 and #17

- The IRS's Correspondence Examination Procedures Burden Taxpayers and are not Effective in Educating the Taxpayer and Promoting Future Voluntary Compliance
- IRS's **AUTOMATED COLLECTION SYSTEM (ACS):** ACS Lacks a Taxpayer-Centered Approach, Resulting in a Challenging Taxpayer Experience and Generating Less Than Optimal Collection Outcomes for the IRS

APRIL 2018

2018 Annual Report To Congress: Economic Hardship

Alternative Collection Arrangements in FY 2018



APRIL 2018

Most Serious Problem #18

- OFFER IN COMPROMISE: Policy Changes Made by the IRS to the Offer in Compromise Program Make It More Difficult for Taxpayers to Submit Acceptable Offers

NTA 2019
7/27/2019

FAST Act: Passport Certification

- NTA Blog Post: June 14, 2018: ["The IRS's Continued Refusal to Exclude Already Open TAS Cases From the Passport Certification Program Violates Taxpayer Rights"](#)
- NTA Blog Post, August 22, 2018: ["TAS Cases Demonstrate the Harm Caused by IRS Policies on Passport Certification"](#)

NTA 2019
7/27/2019

National Taxpayer Advocate 2019 Purple Book



NTA 2019
7/27/2019

Other TAS Programs

Taxpayer Advocacy Panel (TAP)

- Independent panel of citizen volunteers
- Suggests ways to improve the IRS
- Contact TAP at 1-888-912-1227 or www.improveirs.org



Want to Know Even More?

Visit TAS's website at:
<https://taxpayeradvocate.irs.gov/>

Follow TAS on Social Media:

- Facebook: www.facebook.com/YourVoiceatIRS
- Twitter: www.twitter.com/YourVoiceatIRS
- YouTube: www.youtube.com/TASNTA
- LinkedIn: <https://www.linkedin.com/company/taxpayer-advocate-service>
- Medium: <https://www.medium.com/@YourVoiceAtIRS>



Want to Know More?

The National Taxpayer Advocate frequently publishes a blog to raise public awareness about challenges in tax administration. Topics such as:

- IRS Private Debt Collection program;
- Passport revocations under the FAST Act;
- Sharing economy; and
- Federal Payment Levy Program

Subscribe to the blog by emailing tas.nta.blog@irs.gov

www.TaxpayerAdvocate.irs.gov/about/nta-blog

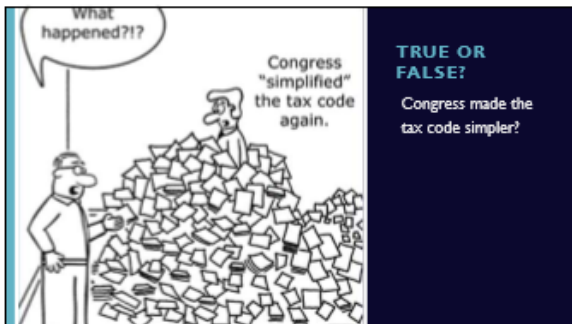


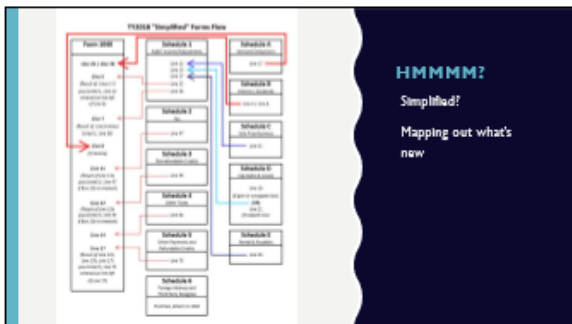
Luncheon 12:25 to 1:35 p.m.

Deductions before and after the TCJA

Scott Thomas, Bentley University | Terry Durkin, Durkin & Associates









A DAY IN OUR LIFE?
How crazy are these scenarios?



DESERVED, BUT IS IT DEDUCTIBLE?

Busy tax preparer deducted her hotel stays as a business expense. Couldn't sleep because her clients kept calling.

- o Nice try – Tax Court said it was a personal expense



EXEMPTIONS?

An 85-year-old woman from Massachusetts surprised tax preparer **William Philbrick** by trying to claim her parents as dependants on her tax return – even though they were long deceased.



1040 2018
TAX YEAR

INSTRUCTIONS | Including the instructions for Schedule E (page 2)


2018 Tax Reform Changes

WHY NOT?

She whitened out the instructions and proceeded to go through the tests:

- no income;
- related to her;
- did not file a tax return; and
- weren't claimed as dependents by anyone else.

OK — so sometimes are zone. But... what about head of household status?



Deductible per tax expense:

DEDUCTIBLE?

As a concert organist, you often have to move back and forth between multiple keyboards. For extra flexibility, one organist decided to get one of his suits tailored so that the pant legs and sleeves were about six inches longer. The outfit was **unsuitable for everyday wear!**



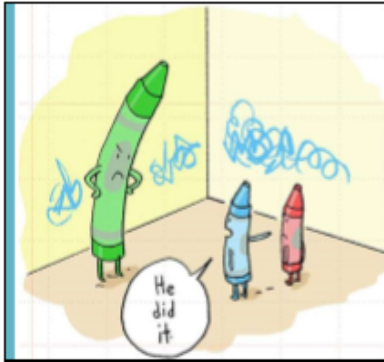
FORMER & TCJA

Old Rule

- o Required by employer
- o Not a substitute for ordinary clothes

New Rule

- o No deduction (until 2025) for unreimbursed employee expenses



DEDUCTIBLE?

Can a police officer deduct his/her snitch fees to a confidential informant?

Foiled again – un reimbursed employee expenses



DEDUCTIBLE?

One travel author (sold 20 books) decided to deduct the cost of his \$50,000, globetrotting extravaganza, which included trips to Italy, France and Greece.



DEDUCTIBLE?

In a promotional scheme, a gas station offered free beer instead of trading stamps. The owner deducted the beer as a business expense, and the IRS said no. The court said ...?

IN THIS CASE – YES!

Respondent disallowed \$1,175 for 1976 and \$582 for 1977

- Treas. Reg. sec. 1.274-2(c)
 - no deduction shall be allowed for any expenditure for entertainment unless the taxpayer establishes that the expenditure was directly related to the active conduct of his trade or business within the meaning of this paragraph.
- Treas. Reg. sec. 1.274-2(c)(4)
 - "Entertainment which has the principal effect of a price rebate in connection with the sale of the taxpayer's products generally will be considered to have occurred in a clear business setting."
 - *Sullivan v. Commissioner*

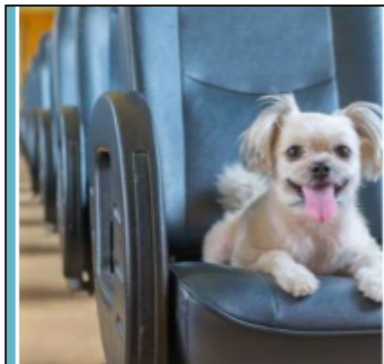


SO ... FREE BEER FOR EVERYBODY!

I think there's an opportunity here!

Well ... the ABC may not be too happy with you.

Cursas ... The TCJA took this away too!



POOCH PERKS?

Airfare for your dog on a business trip. It has been tried.

And no!

But ... this is ok



BURNING DOWN THE HOUSE?

Walter-White wannabe burns down his own house coolies methamphetamine and then claimed a casualty loss.

o Deductible per Tax Court.

How about now?

o Only available in the cases of natural disaster – and only for taxpayers with property in a federally declared disaster area.



DRUNK DRIVING?

Drunk driver arranged a ride home. Waited a couple hours and decided to drive instead. Crashed car, arrested for DUI and insurer denies claim. He claimed a casualty loss.

DEDUCTIBLE!

• Regulation Section 1.165-7(a)(3) provides that an automobile may be the subject of a casualty loss when the damage is **not due to the willful act or willful negligence** of a taxpayer.

• Here, negligent but not grossly negligent.

– “Taxpayer believed that he was no longer impaired or intoxicated at the time he chose to drive. Moreover, he had taken precautions to avoid driving immediately after drinking.”

• J.M. Roberts v. Commissioner

Don't start preparing your case yet:

Only available in the cases of natural disaster – and only for taxpayers with property in a federally declared disaster area.



PRIVATE PLANE?

Couple didn't want to drive 5 to 7 hours to check on their rental condo. So, they bought a plane and deducted depreciation and fuel.

Deductible. Franch v. Commissioner.



MEDICAL EXPENSES

HOW ABOUT THESE?



HEY SIRI, ARE YOU DEDUCTIBLE?

After getting into a terrible car accident and suffering major brain injuries, the phone now operates as her assistant — reminding her of things she needs to do and answering her questions via Siri.

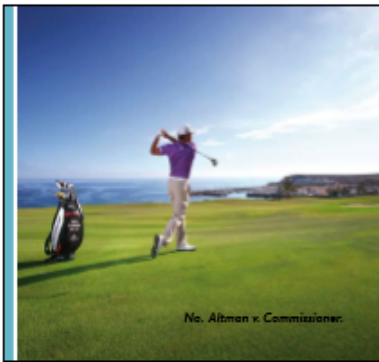
"Deductible costs also include equipment expenses, diagnostic services and the supplies necessary to service these conditions."



Deductible. *Cherry v. Commissioner*

DEDUCTIBLE?

Taxpayer, with emphysema, installed a swimming pool after his doctor ordered an exercise regimen. Deducted the cost of heating the pool, pool chemicals and a proportionate part of insuring the pool area.

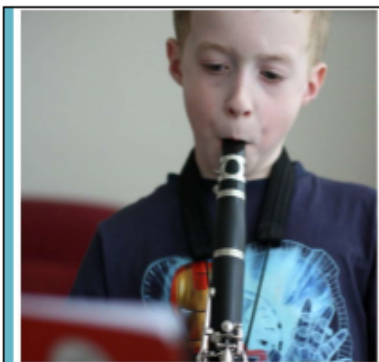


No. *Altman v. Commissioner*

SINCE SWIMMING IS OK?

What about transportation expenses to golf course?

We cannot conclude on the record presented that the golf activity constituted "medical care."



DEDUCTIBLE?

The costs of a clarinet and clarinet lessons for son because an orthodontist recommended playing the instrument as a way to treat his severe overbite.

No. *I.R.C. section 213; Rev. Rul. 65-210*



DEDUCTIBLE?

Sent daughter to a boarding school in Tucson, AZ because she suffered from chronic bronchitis, sinusitis, and asthma.

Yes, in this particular fact pattern.
Singhston v. Commissioner





QBI DEDUCTION & RENTAL PROPERTY

Late-Breaking Section 199A Safe Harbor Provisions

- Rev. Proc. 2019-07
- Added to buzz season excitement




QUALIFIED CHARITABLE DISTRIBUTIONS (QCDs)

Direct transfer from IRA custodian to a qualified charity

Can satisfy required minimum distribution

Taxpayers taking standard deduction can still reduce their taxable income with QCDs




DONOR ADVISED FUNDS (DAFs)

Tool for charitable giving

Bunching strategy can maximize deductions year to year

Provision	Effective date	Impact
Exting facilities - meals for employer's convenience	January 1, 2018	50% deduction is lowered to 30%
Exting facilities - meals for employer's convenience	January 1, 2026	50% deduction is lowered to 0%
Entertainment expenses	January 1, 2018	50% deduction is lowered to 0%

What's in that M&E Account?



IRC § 162

(q) No deduction shall be allowed under this chapter for—

- (i) any settlement or payment related to sexual harassment or sexual abuse if such settlement or payment is subject to a nondisclosure agreement; or
- (ii) attorney's fees related to such a settlement or payment.



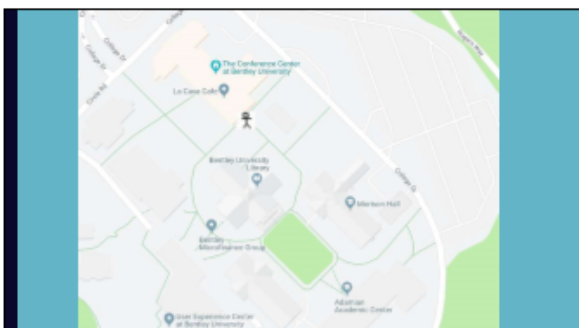
THOSE PESKY STATES

The charitable deduction effort.

Moving incidence of tax to the entity in Connecticut.

State choice of entity decisions independent of the IRC.





Session 5

1:50 to 2:40 p.m.

Understanding the Appeals Process

Ann Gilbert, Supervisory Appeals Officer (IRS) | **Michael Blais**, Appeals Officer (IRS)

IRC 6751(b) verification of managerial approval of penalties-

- As part of collection due process (CDP), Appeals is required to verify that applicable law and procedures have been followed.
- Managerial approval of penalties is part of this verification.
- Electronically assessed penalties do not require managerial approval.
- Some penalties are considered exempt unless the taxpayer responds to the penalty letter i.e. 6721 W-2 penalties.
- If managerial approval is required Appeals will verify that the penalty was approved.
- As guidance develops approval can take a number of forms, i.e. history entry, signature on various documents at various times, case by case basis.

Liability issues in CDP

- Taxpayers (TP) that have had a prior opportunity to appeal a liability can not do so in CDP.
- Prior opportunities
 - Receipt of a statutory notice of deficiency (SNOD).
 - TP meaningfully participated in a prior Appeals hearing.
 - The liability was established in a judicial hearing.
 - The TP did not object to a proof of claim in bankruptcy.
 - TP received a prior CDP notice.
 - Audit reconsideration prior to CDP with the opportunity to appeal.

- TP received a pre-assessment letter offering an Appeals hearing, i.e. L1153 for TFRP
- Not a prior opportunity
 - Receipt of a 30-day letter in deficiency cases. Statute requires SNOD.
 - Receipt of a math error notice.
 - The opportunity to file an amended return.
- When the liability in the CDP notice becomes satisfied Appeals can only consider interest abatement or innocent spouse. i.e. by levy, refund offset, etc.

Installment Agreements:

- Guaranteed-up to \$10K, no compliance issues prior 5 years, no IA prior 5 years, full pay in 3 years.
- Streamlined- up to 50K, full pay in 72 months, IMF, BMF-OOB or 1120/1065
- Expanded- up to 100K, up to 84 months, campus source, IMF or OOB BMF, no financial statement if paying by direct debit.
- Direct debit encouraged for all. Appeals will now input our own DDIA's.
- Partial pay installment agreements have 2-year review.
- One -year rule and 6-year rule for discretionary expenses.
- Compliance issues and prior defaults noted.

Notice of Federal Tax Lien issues (NFTL):

- If Appeals is granting an installment agreement (IA) we do not make a lien filing determination. We can determine one will not be filed but otherwise leave this up to Collection.
- Lien withdrawals have 4 criteria
 - Filing was premature. i.e. no notice, TP was told it would be deferred.
 - The taxpayer entered into an IA that didn't call for an NFTL.
 - Withdrawal facilitates collection of the tax liability
 - Will IRS realize a greater amount?
 - Withdrawal is in the best interest of the NTA and US.

- Both parties benefit from the withdrawal. (*...it is not a good business practice nor is it in the best interest of the government to relinquish its secured creditor status in exchange for a promise to pay...*)

Offer in Compromise Issues:

- Change in procedure on restitution-based assessments.
- Consideration of special circumstances and effective tax administration.
 - Economic hardship-unable to pay reasonable living expenses-looked at on an asset by asset basis. Examples fixed income, negative income, health issues. Discretionary.
 - Public Policy-error by IRS, erroneous advice by IRS, fraudulent act of 3rd party, negative impact to community, fairness of tax law not considered.
- Not in the government's best interest
 - Even when the math works IRS may reject under this basis
 - Egregious history of non-compliance
 - Assets were dissipated-generally 3-year time frame
 - Related entity with compliance issues
 - Ability to pay much more during the CSED via PPIA

Other general topics as time allows:

- Paperless CDP, TFRP, Counsel legal sufficiency review.
- Conference options, in person, phone, mail, web-ex, resource driven.
- Ongoing hiring, organization of Collection Appeals

IRS Publications Referenced in Session:

IRS Publication 5

<https://www.irs.gov/pub/irs-pdf/p5.pdf>

Session 6

2:50 to 4:30 p.m.

Ethics in Tax Practice

Richard J. Spead, Ph.D., Founder and Managing Member of the Spead Tax Group, PLLC

- Circular 230 – Introduction
- Conflicts of Interest (Circular 230 Section 10.29)
- Due Diligence (Circular 230 Section 10.22)
- Incompetence and disreputable conduct (Circular 230 Section 10.51)
- Preparer Penalties (Various Sections of the IRC)
- Consent to Disclose Information
- New Clients Possible Issues
 - Incomplete and/or inadequate Previous Information
 - New IRS Tax Audit Client
 - Amended Tax Return
- IRC Section 1203 (a/k/a Ten Deadly Sins)

IRS Publication Links

IRS Publication 5	https://www.irs.gov/pub/irs-pdf/p5.pdf
IRS Publication 4557	https://www.irs.gov/pub/irs-pdf/p4557.pdf
IRS Publication 5293	https://www.irs.gov/pub/irs-pdf/p5293.pdf
IRS Publication 5294	https://www.irs.gov/pub/irs-pdf/p5294esp.pdf
IRS Publication 5307	https://www.irs.gov/pub/irs-pdf/p5307.pdf
IRS Publication 5318	https://www.irs.gov/pub/irs-pdf/p5318.pdf
Circular 230	https://www.irs.gov/pub/irs-pdf/pcir230.pdf

Speaker Bios (in order of session)

Cybersecurity and Data Compromise Panel

WILLIAM E. PHILBRICK, CPA/ABV, MST, CVA, CFF, GMA SENIOR VICE
PRESIDENT
GREENBERG, ROSENBLATT, KULL & BITSOLI, P.C.

EDUCATION

BS, BA, Salem State University MST,
Bentley University
Advanced Professional Certificate in Taxation, Bentley University NACVA's CVA
Training Center

PROFESSIONAL MEMBERSHIPS AND ACTIVITIES

AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

- ° Member of the Federal Tax Division
- ° Member of the Information Technology Division
- ° Member, Forensics and Valuation Services Section
- ° Member, Personal Financial Planning Section
- ° Past Member of the Tax Policy and Planning Committee
- ° Past Member of the Tax Policy and Simplification Committee

MASSACHUSETTS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS

- ° Member and Past Chairman of the Federal Taxation Committee
- ° Member, Litigation Consulting & Business Valuation Committee
- ° Member, International Tax Sub-Committee, Federal Taxation Committee
- ° Past Member, Board of Directors
- ° Past Member, Continuing Professional Education Committee
- ° Past Member of the Marketing Committee
- ° Past Member, Nominating Committee
- ° Past Member and Subcommittee Chair, ProFx Users Group

NATIONAL ASSOCIATION OF CERTIFIED VALUATORS AND ANALYSTS

- ° Member
- ° Certified Valuation Analyst

BENTLEY UNIVERSITY

- ° Member, Bentley Graduate School Tax Advisory Board

MASSACHUSETTS ASSOCIATION OF ACCOUNTANTS

- ° Vice Chairman of IRS/Bentley University/MAA Annual Tax Conference

INTERNAL REVENUE SERVICE ADVISORY COUNCIL

- ° Past Member (2011-2013)

INTERNAL REVENUE SERVICE REGIONAL COMMISSIONERS ADVISORY GROUP (N.A.R.)

° Past Member

WORCESTER CHAMBER OF COMMERCE

° Past Member and Chairman, International Trade Committee

ASSOCIATION OF CERTIFIED FRAUD EXAMINERS

° Member

JHI (FKA-JEFFREYS HENRY INTERNATIONAL)

- ° Firm Contact Partner
- ° Past Chairman, Region of the Americas
- ° Past Member, International Executive Committee
- ° Past Member, ROA Executive Committee
- ° Past Chair, Long Range Strategic Planning Committee

PUBLICATIONS AND PRESENTATIONS

MR. PHILBRICK is a frequent guest lecturer and speaker before Professional Groups on several tax areas. He has been a speaker for the American Institute of Certified Public Accountants, The Massachusetts Society of Certified Public Accountants, Bentley Graduate School, The Massachusetts Association of Public Accountants, Jeffreys Henry International, Massachusetts Partners in Trade Series, the Internal Revenue Certified Public Accountants Association and other professional and public groups. He has authored numerous articles in taxation for various publications including Boston Business Journal, Worcester Business Journal, Jewish Chronicle, JHI, Quarterly, MSCPA Sum News and other publications. He has been a panelist on Tax Talk Today, and is also the author of "WEP'S TIPS & BITS."

CURRENT EMPLOYMENT

January 1982 - Present
Greenberg, Rosenblatt, Kull & Bitsoli, P.C. Positions:
Tax Manager
Tax Director and Director of Forensics and Business Valuations

PRIOR EMPLOYMENT

July 1969 - December 1981 Internal
Revenue Service

Positions Held:
Internal Revenue Agent - Boston District
Chief, Classification Branch - Andover Chief,
Examination Branch - Andover

LOCAL LIASON ACTIVITIES WITH IRS

1. Speaker -- IRS -- CPA's Association
2. Participant and Moderator in local Annual Practitioner Liaison Meetings
3. Panelist -- IRS Town Meeting
4. Panel Chair: Annual IRS Panel "Inside the IRS" -- IRS - MAPA - Bentley University Annual Tax Conference
5. Panelist -- "Tax Talk Today" -- e-Services, getting ready for filling season 2007 (Part 2 - Business)
6. SAT Participant -- Expanded e-Services
7. e-Services Presenter with Local Stakeholder Liaison Staff
8. Chairman, IRS Practitioners Liaison Meeting - Central MA

AREAS OF EXPERTISE

MR. PHILBRICK is responsible for individual and corporate taxation and tax planning at both the Federal and State levels including international taxation. MR. PHILBRICK is the Director of Forensic Services and Business Valuations at GRKB. He also has extensive experience in mergers and acquisitions. MR. PHILBRICK has represented clients as an expert witness for valuations in dispute litigation proceedings. He also represented clients in estate and gift valuation matters before the IRS and the Commonwealth of Massachusetts. He has prepared valuations for closely held businesses, publicly traded companies, personal holding companies and limited liability companies. These entities' operations include personal service providers such as insurance agencies and investment holdings, real estate management, manufacturers, construction and technology services. He has practiced in public accounting for over 34 years.

COMMUNITY SERVICES

- ° Former Local Chapter Chairman, American Red Cross
- ° Key Person, United Way of Central Massachusetts

Mary Hanson

Mary is a Senior Stakeholder Liaison for the IRS and works out of the Andover Office. She holds a B.A in History from the University of Massachusetts, Lowell, MA. Mary began her career with the Service in 1985 at the IRS in Andover. While there, she worked in Adjustments, Collections, Problem Resolution, and the Taxpayer Advocate Service. Mary worked in the Boston Office for 21 years. She was a Taxpayer Service Specialist in the Boston IRS Taxpayer Assistance Office providing face to face assistance to tax practitioners and taxpayers. Mary took a position in Taxpayer Education and Communication in 2001. In this position, Mary has been a presenter at numerous tax professional and small business organization events. Mary returned to Andover in 2016 as a Management and Program Analyst in Issue Management Resolution System (IMRS) Operations Support for 1 year.

Joseph McCarthy

Joe is a Senior Stakeholder Liaison with the Stakeholder Liaison Field division of the Internal Revenue Service and has been doing outreach for 18 years.

Prior to this, he was a Revenue Agent with the Internal Revenue Service for over 9 years.

He is a Certified Public Accountant.

He has a Bachelor of Science degree in accounting from Quinnipiac College.

Keynote Speaker



MARY BETH MURPHY

DEPUTY COMMISSIONER - SB/SE

Mary Beth Murphy is the Commissioner, Small Business/Self-Employed Division (SB/SE), where she oversees taxpayer programs and services, affecting the nation's 45 million small business and self-employed individuals. She is responsible for providing executive leadership and direction to a nationwide staff of approximately 28,000 employees who are responsible for service and enforcement programs for taxpayers who file personal, corporate, flow-through, employment, excise and estate and gift tax returns.

Prior to this position, Mary Beth served as the Deputy Commissioner, Small Business/Self-Employed Division. In this position, she provided executive leadership and direction in the design, development and delivery of a comprehensive tax administration program to meet the needs of small business owners and self-employed taxpayers. Since 2010, Mary Beth served as Director, Employee Support Services, Agency-Wide Shared Services. In this role, she was responsible for administrative functions regarding Payroll, Travel Services, Credit Card Services, senior commissioner representatives, Continuity Operations and the Employee Resource Center.

Mary Beth began her IRS career as a tax examiner at the Atlanta Service Center. She became a field revenue officer in the Georgia District and went on to become a Collection group manager. In 2000, Mary Beth became an analyst in W&I Business Systems Planning. From there she went on to hold a number of leadership positions in W&I, CAS and Compliance as project manager of Desktop Integration.

Prior to entering the Candidate Development Program in 2009, she completed a developmental assignment as the director, Treasury HSPD-12. Mary Beth was given the responsibility of ensuring the issuance of PIV (Personal Identity Verification) credentials to the Department's approximately 130,000 staff and contractors. Throughout her career she has held numerous leadership positions with increasing responsibility including group manager, senior analyst and senior program manager. Mary Beth is a graduate of the 2009 Candidate Development Program.

Featured Speaker

Fred Schindler - Director of Headquarters Collection in the IRS Small Business/Self-Employed Division

- Fred began his IRS career in 1998 in the Office of Chief Counsel in Washington, DC, where he worked in the General Litigation and Procedure and Administration Divisions.
- From 2005 to 2006 he served as Deputy Assistant Chief Counsel for Collection, Bankruptcy and Summonses.
- In 2006, Fred moved into the IRS Collection operation as Director, Collection Policy, a position he held through 2010.
- During 2009, Fred also served as the IRS Bureau Accountable Official for implementation and reporting of the American Recovery and Reinvestment Act.
- From 2010 to 2013, he led the IRS implementation of the Non-Exchange provisions of the Affordable Care Act, before returning to the Office of Chief Counsel to serve as Deputy Associate Chief Counsel in Procedure and Administration. Fred became the Director of the IRS Offer in Compromise and Lien programs in early 2017 and held that position until taking his current assignment in 2018.

TAS Panel

Liz Blazey-Pennel

Liz Blazey-Pennel is the acting Deputy Executive Director for Case Advocacy (DEDCA) for the northeast region of the Taxpayer Advocate Service (TAS). TAS is an independent part of the IRS that helps taxpayers solve problems with the tax system. Liz previously served as the Local Taxpayer Advocate for the Buffalo, NY, TAS office and as Criminal Tax Counsel for the IRS Office of Chief Counsel. Liz has experience with bookkeeping and contract compliance in the private sector and has owned her own small business. She also completed two years of public service with AmeriCorps. Liz earned an MBA and Juris Doctorate from the University of Buffalo, an MS in exercise science from California University of Pennsylvania, and a BA in Journalism from New York University. She loves public service and solving problems.

Michael Shamgochian

Michael Shamgochian is an attorney and professor at Worcester State University. He teaches in the Department of Business Administration and Economics and has also taught in History and Political Science. Michael earned his J.D. from Suffolk University in Boston, and his B.A. in Classical Languages and Literature from the University of Massachusetts Amherst. Michael's interests include, but are not limited to, music, movies, food, history, philosophy, technology, fiction, and nonfiction.

Audrey Patten

Audrey Patten is an attorney and clinical instructor in the Federal Tax Clinic at the Legal Services Center of Harvard Law School. Audrey first joined the Legal Services Center in 2015 to represent survivors of domestic violence in consumer law cases, dealing primarily with debt collections and bankruptcy, before moving to the tax clinic in 2017. Prior to working at the Legal Services Center, Audrey was a staff attorney at Northeast Legal Aid, Inc. in Lowell, MA where she worked in the family law/domestic violence unit. Audrey is a graduate of Emory University School of Law.

Robert Allen

Robert (Bob) Allen is the Local Taxpayer Advocate (LTA) for the Taxpayer Advocate Service (TAS) office in Boston, Massachusetts. Bob began his career with the IRS in October 1990 as a Taxpayer Service Representative at the Boston call site. This included two years working as a full-time caseworker in the Problem Resolution Program. Bob moved to IRS Exam in 1994 as a Revenue Agent and became a Reviewer in Technical Services in 2002. Prior to coming to TAS, he was an Exam Technical Services Group Manager. Bob earned a BA in Business Management from the University of Massachusetts in Amherst. In his free time, Bob enjoys spending time with his husband, traveling with friends, and fantasy baseball.

Luncheon Speakers

Terry Durkin, EA, MBA

Principal, Durkin Associates

Terry Durkin, EA, MBA is the principal of Durkin Associates based in Burlington, Massachusetts. She specializes in individual, small business, and trust tax return preparation and representation. Terry is a past president of the National Association of Enrolled Agents (NAEA) and served on the NAEA Board of Directors from 2011-2017. She received the NAEA Founders Award in 2012 for her contribution and service to NAEA. Ms. Durkin testified before the U.S. Congressional Subcommittee on Economic Growth, Tax, and Capital Access at the hearing titled, *Cash Accounting: A Simpler Method for Small Firms*. Terry is also a past president of the Massachusetts Society of Enrolled Agents (MaSEA) and received the MaSEA 2010 EA of the Year Award.

Prior to becoming an enrolled agent in 2005, Ms. Durkin worked 21 years in the software industry with companies including IBM. Terry received her BS degree in applied mathematics with computer science from Yale University and her MBA degree with a concentration in finance from New York University. Terry is a fellow of the National Tax Practice Institute (NTPI) as well as a member of the National Association of Tax Professionals (NATP) and the Boston Estate Planning Council (BEPC). In her spare time, Terry enjoys golfing.

Scott Thomas, JD, LL.M (Taxation)

Director of Graduate Tax Program, Bentley University

Scott is a multistate tax professional with a broad-based federal tax background and tax practice leadership experience focused on teaching taxation and law courses to graduate students, undergraduate students, and state revenue authorities.

Scott developed an expertise in training new staff and has refined those skills through several years of leading training programs while a partner at Deloitte, leading the tax practice at UHY, teaching multijurisdictional tax, teaching strategic business and tax planning and training state revenue agencies in the conduct of the examination of sophisticated state income tax planning strategies.

Scott has substantial experience with multistate tax due diligence, state tax compliance, entity restructuring, and state tax controversy. Controversy experience includes examinations and administrative appeals in numerous states with a particular focus on Connecticut, Massachusetts and New York. Entity restructuring experience includes the implementation of over 70 multistate tax projects for Office of the Chairman clients and other Fortune 500 clients.

Appeals Panel

Michael G. Blais

Mike is a 1988 graduate of Merrimack College, North Andover MA (magna cum laude) with a BS/BA in Finance. After brief stints at Wang Labs as a financial manager and then Controller for a small computer company he began his IRS career as a Revenue Officer in 1991 working in 4 different NH field offices. In 1998 Mike became a Settlement Officer with Appeals in Boston MA transferring back to Portsmouth NH in 2001. In 2007 he graduated from the IRS Frontline Leader Readiness Program. Since 2012 Mike has been a Technical Advisor for Collection Appeals-Area 1 helping to manage 8 teams of Settlement Officers from Virginia to New England. Mike is well versed in IRS collection matters including-Offer in Compromise, Collection Due Process, Trust Fund Recovery Penalty, Collection Appeals Program and Penalty Appeals.

Ann Gilbert

Ann has been the Appeals Team Manager in Boston for three years. She came to Appeals from the LBI Transfer Pricing Practice. She also previously served as the Deputy Tax Attaché assigned to the Beijing, China post of duty. Ann holds an MST from Bentley University and is a CPA.

Ethics Speaker

Richard J. Spead, Ph.D., MST, PA, EA, CFE, CFS, CBM, ATA, ATP, ABA, DABFA, FACFEI

Dr. Spead is the Founder and Managing Member of the Spead Tax Group, PLLC (Tax, Insolvency and Forensic Accountants).

He is Licensed to Practice as a Public Accountant by the State of New Hampshire; Enrolled to Practice before the Internal Revenue Service; a Certified Fraud Examiner; a Certified Fraud Specialist; a Certified Business Manager; an Accredited Tax Advisor; an Accredited Tax Preparer; an Accredited Business Advisor; a Diplomat of the American Board of Forensic Accountants; and a Fellow of the American College of Forensic Examiners Institute.

Dr. Spead educational and professional background includes Advanced Studies Harvard Law School Program of Instruction for Lawyers; Master of Science in Taxation, Summa Cum Laude (Washington Institute for Graduate Studies); Doctor of Philosophy in Taxation, with Honors (Washington Institute for Graduate Studies).

He is a published author of numerous tax articles and is a nationally known lecturer on bankruptcy and tax related issues. Dr. Spead is the Dean of the Graduate Tax Program at the America Academy for Taxation; and, he is a Ph.D Advisory and Faculty Member at the Graduate Tax Program at the Washington Institute for Graduate Studies.