Presentation to
FALL 2012 FOCUS CONFERENCE

Tax Update
November 13, 2012

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Agenda

Headlines
IRS Exams
Exempt Status Issues
UBTI
Charitable Contributions
Forms
Benefits / Payroll Taxes
Case Study
Headlines

Afternoon Update
Tax fraud by charity founder
Multiple compensation matters in higher education
  ➢ Deferred compensation
  ➢ Severance pay
  ➢ Consulting fees
  ➢ Retirement benefits
  ➢ Perks
Congressional inquiries
Case study
IRS report
IRS to release report on college and university exams in 2012

- October, 2008 questionnaire to 400 schools
- 2009 exams begin
- Issues targeted
- Findings

TE/GE Fast Track Settlement Program
Exempt Status Issues

Automatic Revocations

- Form 990N
- Supporting Corporations

IRC section 501(r)
Unrelated Business Taxable Income

Parking Lots (Ocean Pines Association, Inc. v. Commissioner)

Cell Towers (PLR 201216029)
Charitable Contributions

Durden v. Commissioner

IRS Notice 2012-52, SMLLC’s
Forms

IRS Announcement 2012-19, Reporting of Partnerships on Form 990

Form 8621, PFIC’s
Benefits / Payroll Taxes

Severance Pay (U.S. v. Quality Stores, Inc.)

Independent Contractor v. Employee

- William Edward Schramm and Stella Logan Sherrouse v. Commissioner
- Donald T. and Marlene B. Robinson v. Commissioner
Case Study

Documentation of Business Purpose
Documentation of Donor Gifts
Review of T&E Reports
Spousal Travel Policy
Travel Policies and Enforcement
Business Meals
Use of Corporate Credit Card
Role of IAD
Donor Letters
Anonymous Donations
Questions and Answers?

Thank you!

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