

**NAEA**

NATIONAL ASSOCIATION

POWERING AMERICA'S TAX EXPERTS®

OF ENROLLED AGENTS

# ***Communicating With The IRS***

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# Internal Revenue Service IRS GuideWire @ [www.irs.gov](http://www.irs.gov)

- IRS...doing business with the Internal Revenue Service
  - [IRS Leadership Team](#)
  - [IRS in Your State](#)
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***Taxpayer Rights Corner***  
***IRS GuideWire at <http://www.irs.gov/advocate>***

- **Whether your clients file Form 1040EZ or a complicated corporate return, they will benefit from knowing their rights as a taxpayer and being familiar with the IRS' obligations to protect them. The goal of the Taxpayer Rights Corner is to be your one-stop shop for taxpayer rights information during every step of your interaction with the IRS.**

## ***Taxpayer Rights Corner*** ***IRS GuideWire***

- Know Your Rights
- **You have rights as a taxpayer when dealing with the IRS.**
  - [Publication 1](#), *Your Rights as a Taxpayer*
  - [Protecting Taxpayer Rights](#), Fact Sheet
  - [The Taxpayer Bill of Rights 2](#), as passed by Congress
  - [Taxpayer Bill of Rights II](#), IRS Training Publication

# ***Important Taxpayer Rights***

- Protection of Your Rights
- Privacy and Confidentiality
- Professional and Courteous Service
- Representation
- Payment of Only the Correct Amount of Tax
- Help With Unresolved Tax Problems
- Appeals and Judicial Review
- Relief From Certain Penalties and Interest

# ***Taxpayer Rights***

- **Know Your Rights**
- **Know Your Client's Rights**
- **You are entitled to have your rights explained and protected**

***Taxpayer Rights Corner***  
***IRS GuideWire at <http://www.irs.gov/advocate>***

- **Provide Info to IRS**
- **Receive Info From IRS**
- **Represent t/p with Exam**
- **Represent t/p with Appeals, Collection, sign consents, waivers, and agreements**
- **Anyone**
- **Anyone with authorization**
- **Enrolled and Unenrolled Preparer**
- **Enrolled only: CPA, EA, and Attorney**



# Levels of Authority

- Provide Info to IRS
  - Receive Info From IRS
  - Represent t/p with Exam
  - Represent t/p with Appeals, Collection
  - Sign consents, waivers, and agreements
- Forms 2848, 8821, OTIA, 8453, 1040 Checkbox
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  - 2848
  - 2848
  - 2848

# ***Third Party Authorization***

## ***Levels of Authority***

**Maximum levels of authority for individuals designated by the taxpayer to communicate with the IRS on their behalf.**

<b>Description of Authority</b>	<b>Practitioners (EA/CPA/JD) &amp; Family</b>	<b>Unenrolled Return Preparers</b>	<b>IRS e-file Providers</b>	<b>Friends</b>
Provide information to the IRS	YES	YES	YES	YES
Receive tax information	YES	YES	YES	YES
Represent T/P with Exam	YES	YES	NO	NO
Represent T/P with Appeals and/or Collection	YES	NO	NO	NO
Sign consent/waiver/closing Agreements	YES	NO	NO	NO

# ***Third Party Authorization***

## ***Level of Authority Permitted by Various Forms***

<b>Description of Authority</b>	<b>Form 2848 POA</b>	<b>Form 8821 TIA</b>	<b>Form 8453 e-file Return</b>	<b>Form 1040 Checkbox</b>
Provide information to the IRS	YES	YES	YES	YES
Receive tax information	YES	YES	YES	YES
Represent T/P with Exam	YES	NO	NO	NO
Represent T/P with Appeals and/or Collection	YES	NO	NO	NO
Sign consent/waiver/closing Agreement	YES	NO	NO	NO

# Third Party Designee Checkbox

- Authorizes the IRS to call the designee to answer any questions that may arise during the processing of the return, and authorizing the designee to:
  - give the IRS any information that is missing from the return,
  - call the IRS for information about the processing of the return or the status of refunds or payment(s), and

## ***Third Party Designee Checkbox, continued***

- Respond to certain IRS notices that the taxpayer shares with the designee about math errors, offsets, and return preparation. The notices will not be sent to the designee.
- This limited authorization does not authorize the designee to receive any refund check, bind the taxpayer to anything (including any additional tax liability), or otherwise represent them before the IRS.

# Oral Tax Information Authorizations/Disclosure Consents

- In certain circumstances, the IRS can accept oral authorization from taxpayers to discuss their confidential tax return information with a third party.
- If a third party is present at an interview with the IRS or if a third party is involved in a telephone conversation with the IRS, the IRS can disclose confidential tax return information to that third party after confirming the taxpayers' identity and the identity of the third party.
- IRS will confirm the issue or matters to be discussed to enable the third party to assist and determine what confidential tax return information the IRS needs to disclose.
- In order to establish the oral disclosure consent, the taxpayer must have received a notice from IRS and have open account issues.

## Centralization of Powers of Attorney & Other Authorizations

- **CAF is the acronym for *Centralized Authorization File*. CAF contains information on third parties who are authorized to represent taxpayers before the IRS and/or receive and inspect confidential taxpayer information.**
- **Fax your Forms 2848 or 8821 to:**
  - **Memphis, TN: (855) 214-7519  
(Expiring fax # 901-546-4115)**
  - **Ogden, UT: (855) 214-7522  
(Expiring fax # 801-620-4249)**

**Both “scheduled expiring fax #’s” are currently in use**

# Employer Identification Number (EIN) Improved Process

- **One toll-free number: 1-800-829-4933**
- **Available Monday through Friday, from 7:00am to 10:00pm customer's local time. Alaska and Hawaii will need to use Pacific Time zone for their calls.**
- **Complete the new "Third Party Designee" section of Form SS-4 and obtain the client's signature prior to making your call. IRS no longer requires a Form 2848 or Form 8821, to get an EIN for your clients.**
- **Effective May 21, 2012 issuance of an EIN is limited to one responsible party per day.**



## **EIN Improved Process, continued**

- **Your calls may be routed based on your area code.**
- **The IRS Campus' accepting faxed applications are:**
  - **Cincinnati, OH (859) 669-5760**
  - **Philadelphia, PA (267) 941-1040**

## ***Practitioner Priority Services***

- **Practitioners' first point of contact for account-related issues.**
- **Contact toll free at 1-866-860-4259**
- **8:00 a.m. to 8:00 p.m. local time, weekdays**
- **7:00 a.m. to 7:00 p.m. (CST)**

## ***Practitioner Priority Services***

- **Operates out of the five campus sites:**
  - **Brookhaven, NY**
  - **Cincinnati, OH**
  - **Memphis, TN**
  - **Ogden, UT**
  - **Philadelphia, PA**
- **Calls are routed to a designated site based on the practitioner's area code.**
- **Each site handles both individual and business inquiries.**

***Practitioner Priority Services***  
***Contact if your inquiry deals with the***  
***following issues:***

- Missing or misapplied payments
- Transferring credits or payments
- Refund inquiries
- Outstanding liability balances
- Penalty information
- Account adjustment status

## ***Practitioner Priority Services (Continued)***

- **FUTA/State Reconciliation** Matching Program
- **Installment Agreements** for individual taxpayers only--not already in collection and under \$15,000
- **Records of Accounts (ROA)** generally limited to three tax periods; or use form 4506
- **Income information** is generally limited to three tax periods and is often ordered from an off-line system; or use form 4506

# *Issues resolved by Service Centers or Business Units*

- Liens and Levies
- Offers in Compromise
- Civil Penalties
- Under-reporter Cases
- Bankruptcies - Pub. 908
- Examination/Collection Cases
- Substitute for Return Cases (SFR)

# ***Checklist for Communicating with Service Centers***

- Have proof of Power of Attorney
- Written response required?
- Send Copies of Original Documents
- Copy all Notices
- File Copies of All Correspondence
- Obtain Copies of All Notices from Clients
- CC Client on All Correspondence

# Checklist for Communicating with Service Centers (continued)

- Respond using return envelopes provided by IRS if possible
- Notify Service Center if you change your address
- Follow-up on Correspondence
- Make a note of the IRS Employees that assist you, and keep a list of helpful contacts



# *Issues that can be Resolved via Telephone*

- Refund Inquiries
- SSN and Exemption Issues
- Allowance of items claimed on the original tax return (with substantiation)
- Form 2210 estimated tax penalty (with back up)
- Missing or unapplied payments, or credits

# *Issues that can be Resolved via Telephone (continued)*

- Credit transfers (with faxed backup)
- Status of claims, e.g., amended returns, carry-backs, injured spouse requests
- Transcript requests, e.g., record of account, return print
- Copy of examination report or CP 2000
- Math errors

# *Issues that can be Resolved via Telephone (continued)*

- Earned Income Tax Credit issues
- Installment arrangements for certain accounts meeting phone criteria

# *Issues that Require Written Correspondence*

- Most payment tracer issues
- Examination reconsideration requests
- Items not claimed on original return
- Form 3911, Taxpayer Statement Regarding Refund
- Backup withholding
- Open examinations (audits)

# *Issues that Require Written Correspondence (continued)*

- Injured spouse claims (original)
- Application for Individual Taxpayer Identification Number (ITIN)
- Installment agreements by payroll deduction or direct debit
- Non-filer cases
- Bankruptcy issues

# *Issues that Require Written Correspondence (continued)*

- Most requests for penalty removal
- All requests for interest removal (Form 843 Claims)

# ***Be Fully Prepared***

- Valid POA's
- Tax return information
- Copies of notices
- Copies of cancelled checks
- Copy of EITC worksheet
- Correct Social Security Numbers
- Direct faxes to specific Customer Service Representatives

# ***Taxpayer Advocate Service: What you can Expect***

- A “fresh look” at your problem
- Timely acknowledgment
- A contact person assigned to your case
- Updates on progress
- Time frames for action
- Speedy resolution
- Courteous Service



# ***Use the Taxpayer Advocate Service for:***

- Significant hardship
- Immediate threat of adverse action
- Significant cost
- Irreparable injury or long-term adversity
- Delay of over 30 days on tax-related issues
- No response or resolution by the IRS
- IRS system or procedure failure/inadequacy

# ***Taxpayer Assistance Orders: Significant Hardship***

- Disability
- Eviction
- Medical hardship
- Utility disconnect
- Vehicle repossession
- Welfare

# ***Contacting the Taxpayer Advocate Service***

- Call TAS toll free at 1-877-777-4778 or TTY/TTD 1-800-829-4059
- Call IRS toll free at 1-800-829-1040 and request Taxpayer Advocate Service
- Call write or visit local Taxpayer Advocate
- Complete and submit Form 911-Application for Taxpayer Assistance Order

# *Providing Information to the Taxpayer Advocate*

- Taxpayer's name, address and SSN or EIN
- Type of tax return and year(s) involved
- Power of Attorney
- Previous attempts to solve the problem, copies of notices, correspondence, etc.
- Description of problem or hardship and be prepared to validate the situation!
- Copies of cancelled checks, or other necessary documentation

# ***Systematic Advocacy Management System (SAMS)***

The National Taxpayer Advocate Service has requested input regarding exam and collection personnel that may be considered in violation of the IRM and other mandatory policies and procedures. Practitioners are requested to elevate any issue by accessing SAMS via [www.irs.gov](http://www.irs.gov). You should submit your issue via **Form 14411** (obtained the IRS website). Form 14411 can be faxed to **(202) 622-3125** for consideration or filed online.

Also refer to **Publication 4825**, “Ten Things to Know About the Taxpayer’s Advocate Service & Seven Things to Know About Systemic Advocacy”

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