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Dear Client:

Happy New Year!! The new tax legislation was signed December 22, 2017 with all of its many changes for both individual as well as business returns. This is bringing **BIG CHANGES EFFECTIVE FOR YOUR 2018 TAXES**. I have **brief highlights and details** in the "What's Important for 2018 & 2019" section which follows on the next page. But I have **posted a longer and more detailed discussion on my website under the Client's Corner**, because there are just too many details to fit in this letter.

Every year in this letter, I note that my tax filing season becomes more compressed because the tax forms needed to prepare your returns arrive later and later. The brokerage 1099 statements and K-1s from partnerships are the most problematic forms. **I would again ask that if you are not being held up waiting to receive these forms, please provide your tax information as soon as possible so that my tax season isn't so burdensome at the end.** The late timing requires filing many more extensions than I like because I do not have adequate time to properly prepare your returns. Your cooperation will be appreciated and will help decrease the number of extensions.

My **OFFICE ADDRESS** for tax meetings remains at **22 Main Street, Newtown**. It is conveniently located near Newtown's flagpole (off Exit 9 or 10 of Interstate 84). Also for 24/7 convenience, I have a library-style dropbox in the back of the building. I have a website www.bernsteincpa.net with office directions. Also on my website, under the **Client's Corner**, I post **additional important tax forms, tax code updates, tax strategies, and pertinent regulatory information. This resource will be helpful for more details of the Tax Legislation passed for 2018.**

Below, are some of the **important tax strategies and compliance issues** that should be of concern to you. Please take a few minutes to read this information. It will help expedite the preparation of your 2018 income tax return.

I have enclosed your **personalized organizer/questionnaire** for your use as a guide in gathering information for preparation of your income tax return. Many **questionnaires** are not being returned or returned unanswered. I need these questions answered to accurately prepare and file your returns. If your questionnaire is not completed, I will need to return it to you prior to my starting work on your return(s). This organizer is used to provide detailed information of your income and expenses/deductions for the year as well as other pertinent data as it relates to your individual situation. **I have found the organizer to be a valuable tool for focusing attention on your unique needs.**

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Please provide me with copies of the following information (When possible, I have included the 2017 information for your reference):

- ✓ Form(s) W-2
- ✓ Schedule(s) K-1 showing income or loss from partnerships, S corporations, estates, or trusts
- ✓ Copies of compensation or pension documentation (Form 1099-MISC or 1099-R for example)
- ✓ Form(s) 1099 or statements reporting dividends and interest income
- ✓ Brokerage statements showing transactions for stocks, bonds, etc.
- ✓ Form(s) 1098 reporting interest paid
- ✓ Copies of closing statements regarding the sale, refinancing, or purchase of real property

What's Important for 2018 and 2019:

- **NEW TAX LAW: HIGHLIGHTS OF CHANGES STARTING IN 2018 FOR INDIVIDUAL TAX RETURNS:**
 - A top individual tax rate of 37 percent (lowered from 39.5%);
 - A provision allowing taxpayers to aggregate (1) local property and vehicle taxes, and (2) state and local income taxes (or sales taxes in lieu of income taxes) toward a **maximum of ONLY \$10,000 itemized deduction for state and local taxes;**
 - Three changes to the child tax credit: (1) increased to a \$2,000 credit, but also an increase in the refundable portion to \$1,400; (2) retaining the current maximum age of 16 for eligibility; and (3) the credit begins to phaseout at the AGI (adjusted gross income) threshold amount of \$400,000 for joint filers and \$240,000 for all others;
 - a **repeal of the personal exemption deduction** and an **increase in the standard deduction amounts** to \$24,000 for joint filers and surviving spouses, \$18,000 for heads of household, and \$12,000 for unmarried taxpayers and married filing separately (additional amounts for the elderly (65 and older) and blind are retained);
 - a repeal of miscellaneous itemized deductions subject to the 2 percent of adjusted gross income floor;
 - an increase in the alternative minimum tax (AMT) exemption amounts and the adjusted gross income thresholds at which the exemption amount begins to phase out;
 - A lowered \$750,000 limit on the loan amount for which a mortgage interest deduction can be claimed by individuals, with existing loans grandfathered;
 - Repeal of the deduction for alimony paid and corresponding inclusion in income by the recipient, effective for tax years beginning in 2019. Alimony paid under separation agreement entered into prior to the effective date is generally grandfathered.

- **INDIVIDUAL MANDATE: The individual mandate REPEAL is not in effect until January 1, 2019.** So, tax preparers must still verify that an individual maintains **minimum essential health care coverage** for themselves and their dependents for 2018. Most taxpayers will receive Form 1095-B from their insurance company and/or Form 1095-C from their employer. Those covered by the health exchange will receive Form 1095-A. **Provide one of these forms 1095-A, 1095-B, or 1095-C as my confirmation.** The Affordable Care Act (**ACA**) implemented the **individual mandate** which imposes a requirement that an individual maintains minimum essential health care coverage for themselves and their dependents or pays a penalty. The penalty for non-compliance is \$695 per uninsured or 2.5% of household income, whichever is higher.

- **NO CHANGE TO PREMIUM ASSISTANCE CREDIT:** This credit is only available to those individuals who purchased their health insurance from the **Exchange**. The credit can be used to subsidize monthly premiums or to receive as a tax credit when filing your tax return. Credit is based on a sliding scale of taxpayer's household income. Exchanges will issue **Form 1095-A** to report taxpayer coverage and advance credit payments used to pay health insurance premiums.

- **FILING DATES CHANGE FOR BUSINESS RETURNS: Partnerships (LLC)** are now required to file their federal income tax returns by the **due date of March 15th** rather than April 15th as in previous years. Calendar-year **C corporations** now have an extra month to file their federal income tax returns. The returns are **due by April 15th** rather than March 15th as in previous years.

- **EDUCATION CREDITS OR TUITION DEDUCTION REQUIREMENT:** Taxpayers will need **Form 1098-T** from their student's educational institution before claiming the education credit or tuition deduction on their return. This is a new documentation requirement to claim either the American Opportunity Tax credit, Lifetime Learning Credit or the Tuition and Fees Deduction.

- **NEW FILING DATE FOR FBAR (FinCEN Form 114):** If you own (or have signatory authority) foreign financial accounts exceeding an aggregate value of \$10,000 at any time during the year, you are required to file FinCen Form 114 (FBAR/Report of Foreign Bank and Financial Accounts). The **filing date is now April 15th** (prior due date was June 30th).
- **NO CHANGES FOR CAPITAL GAIN RATES:** For taxpayers that are taxed in the 37% bracket, the long-term capital gains or qualified dividends tax rate is 20%. The maximum long-term capital gain and qualified dividend rate is 15% for those below this 37% bracket. Also, there is a zero percent tax rate for long-term capital gains and qualified dividends for individuals in the 10% or 15% tax brackets.
- **"MEDICARE" SURTAX:** A 3.8% **surtax is imposed on investment income** (interest, dividends, capital gains, rental property profits, and other passive income) for high-income individuals. There will also be **0.9% surtax on earned income (W-2 or self-employment income)** for high-income individuals. The definition of **high-income individuals** is excess income over **\$250,000 for married filing jointly and \$200,000 for single individuals**. These thresholds are not adjusted for inflation.
- **IRA CHANGES for 2019:** The maximum allowable IRA contribution will increase to **\$6,000** (**\$7,000** for taxpayers 50 or older) for 2019 (\$5,500 for 2018). This IRA contribution is applicable for Roth IRAs, traditional IRAs, and nondeductible IRAs. Those wishing to contribute to a ROTH IRA are subject to income limitations.
- **CHANGE FOR 2019 PENSION CONTRIBUTIONS:** The **employee elective deferral for 401(K) plans** will be **\$19,000** (\$18,500 for 2018; employees age 50/older an additional \$6,000 deferral/total of \$25,000). Regardless, taxpayers should make sure that they contribute at least up to the employer match. The ceiling on **SIMPLE PLANS** increased to \$13,000 (employees age 50/older can put in an additional \$3,000/total of \$16,000).
- **UPDATED BUSINESS MILEAGE RATES for 2018/2019:** The standard mileage rate for business driving is 58¢ (2019) which increases from 54.5¢ (2018). The medical mileage rate also increases to 20¢ for 2019 from 18¢ a mile (2018). The rate for charitable driving will stay at 14¢ because the amount is determined by Congress, not by the IRS.
- **BUSINESS OWNERS:** Important to **file Form 1099-MISC** for all your **independent contractors** so that you will not be penalized. The IRS is trying to eliminate non-reporting of income. All business returns now ask if your business made any payments that required them to file Form 1099 (Yes or No?). If "Yes", did or will the business file all required Form 1099s (Yes or No?). For 2018, filing Form 1099 is due January 31, 2019.
- **ESTATE and GIFT TAX CHANGES: LARGE INCREASE for 2018 Federal estate and gift tax exemption to \$11.2 million dollars(\$11.4M for 2019).** Also, the **"portability"** of exemptions between spouses has also been retained. However, in order to use the portability of the estate tax exemption, the IRS requires the executor of the deceased spouse to file a Federal Estate Tax Return (FORM 706). The **annual gift tax exclusion for 2018 increased to \$15,000 per donee; the same for 2019.**
- **CHANGE TO "KIDDIE TAX":** For 2018, net unearned taxable income for children (above \$2,100) will be taxed according to the brackets applicable to trusts rather than parent's rate. These trust brackets reach higher tax rates very quickly. So, parents should consider **Section 529 plans for college savings**. Taxpayers may deduct up to \$10,000 annually on their Connecticut personal returns for contributions to the **Connecticut Section 529 Plan (CHET)**. This deduction is only available for investments in CHET 529 Plans. Any excess contribution can be carried over to the next year. Earnings from all Section 529 plans are not subject to Federal or State income tax when withdrawals are used for college tuition.
- **IDENTITY VERIFICATION:** Tax-related identity theft has been a difficult problem for the IRS as well as state taxing authorities. The new identity verification steps to combat the filing of fraudulent returns have worked very well. I will require you to **update your drivers' licenses information on the taxpayer information worksheet** prior to filing your individual returns. **No returns will be accepted without this updated verification step.**

Jeffrey A. Bernstein CPA/PFS

MEMBER OF THE AMERICAN INSTITUTE OF CERTIFIED FINANCIAL PLANNERS

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