

# Tax Savings Opportunities for Landmark College Students & Parents



Landmark college  
Saturday, October 3, 2020



**Wilder Business Service**

North Business Services d/b/a Wilder Business Service

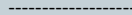
# Presenters



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# Purpose of Today's Program



- To give you the tools *to ensure the US Treasury's maximum participation in paying for Landmark.*

To assist your tax preparer(during tax season they can use all the help they can get), so they have the information necessary to advise you while preparing your return

- To have fun taking about taxes, yes it can be fun.

# Investing in Your Child's Future



## 2020-2021 Landmark College Academic Year Expenses

Tuition	\$60,280
Room Fee	7,000
Board Fee	6,420
Total	<u>73,700</u>

# Definitions



- ✓ An **“Itemized Deduction”** (such as medical expenses) goes on Schedule A (along with charitable deductions, mortgage interest, real estate taxes, state and local income taxes(subject to certain limitations in 2020), etc.)
- ✓ Must exceed 7.5% of Adjusted Gross Income(AGI) for 2019 and 2020 tax years.
- ✓ You need more than \$24,400 (married filing jointly, \$12,200 single) in Itemized Deductions for 2019, (24,800 and 12,400 will apply for 2020) to exceed the “Standard Deduction” to benefit from “itemizing”.
- ✓ Itemized Deductions reduce your taxes based on your marginal tax rate (e.g. \$10,000 deductions in excess of the standard deduction) x 22% results in a tax savings of \$2,200.

# Standard Deduction



## Filing status

Year	Single	Married Filing Jointly	Married Filing Separate	Head of Household	Over 65, Blind, etc
2019	\$12,200	\$24,400	\$12,200	\$18,350	Add \$1,300 for single taxpayers, 1,650 for married Taxpayers
2020	\$12,400	\$24,800	\$12,400	\$18,650	

# More Definitions

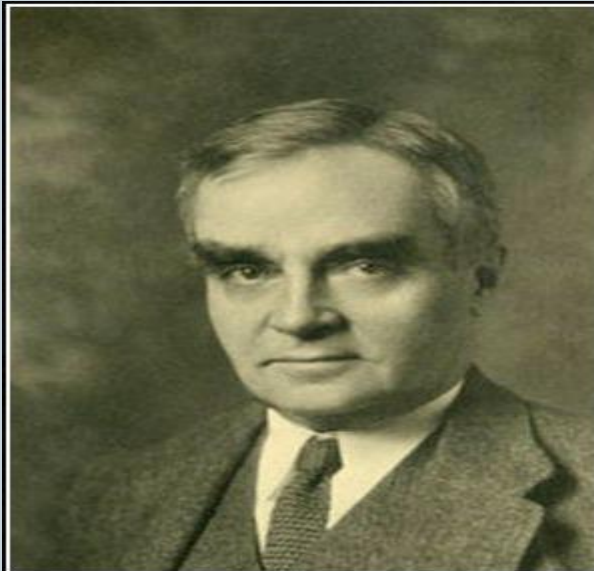


- ✓ A “**Tax Credit**” is a dollar for dollar reduction in tax (e.g., a \$2,000 tax credit lowers your taxes by \$2,000!)
- ✓ A “**Refundable Tax Credit**” is even better. You get the money even if you owe no taxes! Maximum refundable American Opportunity tax credit is \$1,000.

# IRS Definitions



“ Avoidance of taxes is not a criminal offense. Any attempt to reduce, avoid, minimize, or alleviate taxes by legitimate means is permissible. The distinction between evasion and avoidance is fine yet definite. One who avoids tax does not conceal or misrepresent. He shapes events to reduce or eliminate tax liability and upon the happening of the events, makes a complete disclosure. Evasion, on the other hand, involves deceit, subterfuge, camouflage, concealment, some attempt to color or obscure events, or making things seem other than what they are.”



In america, there are two tax systems: one for the informed and one for the uninformed. Both are legal

— *Learned Hand* —

AZ QUOTES



# The Education Tax Credit



For 2019 and 2020, the American Opportunity Tax Credit can be used for:

- ✓ 4 years
- ✓ Maximum tax credit of up to \$2,500 of college costs (100% of the first \$2,000 of costs plus 25% of the next \$2,000 of costs per child, for a total of \$2,500 per child)
- ✓ Up to 40% of the credit is refundable, \$1,000 in your pocket



# The Education Tax Credit



For 2019 and 2020, the American Opportunity Tax Credit has a phase-out provision:

- ✓ Individuals with incomes of up to \$90,000 and Married Couples with incomes of up to \$180,000 can qualify for credit for each student.

# Case Study 1



- Jonathan and Martha Clark...      One Child Clark
- Adjusted Gross Income:      \$121,225
- Itemized deductions :      \$ 18,000 before Landmark payment, didn't benefit from itemizing
- **Tax Due Before Landmark \$ 12,769 before Landmark payment**
- **Tax Due AFTER Landmark \$ 2,566 after Landmark payment**



# Case Study 1 continued



- Continued: Clark
- Claiming Landmark expenses as a Tax Credit & Medical Deductions
- American Opportunity Tax Credit: \$2,500
- Medical Deduction: \$69,400 (\$73,400-4,000)
- Tax savings resulting from Landmark investment: \$ 10,203

✓ *Does not include any potential state tax savings or from additional medical deductions from additional itemized deductions*



# IRS publications 502 and 907

- 502-Medical and Dental Expenses, page 13
- 907-Tax Highlights for Persons with Disabilities, page 4



**IRS**

Department of the Treasury  
**Internal Revenue Service**

# IRS publications 907 and 502



- Landmark College's tuition, room and board and fees may qualify as a medical deduction for tax purposes.
- **Publication 502 Special Education**
- You can include in medical expenses fees you pay on a doctor's recommendation for a child's tutoring by a teacher who is specially trained and qualified to work with children who have learning disabilities caused by mental or physical impairments, including nervous system disorders.
- You can include in medical expenses the cost (tuition, meals, and lodging) of attending a school that furnishes special education to help a child to overcome learning disabilities. For expenses to be deductible, a doctor must recommend that the child attend the school. Overcoming the learning disabilities must be a principal reason for attending the school, and any ordinary education received must be incidental to the special education provided.
- You can't include in medical expenses the cost of sending a child with behavioral problems to a school where the course of study and the disciplinary methods have a beneficial effect on the child's attitude if the availability of medical care in the school isn't a principal reason for sending the student there.

# How does it affect you?



- In addition to tuition and fees, other costs such as:
  - ✓ Books
  - ✓ Computers
  - ✓ Travel and other educational related expenses may be tax deductible
- We recommend that you consult your tax advisor (as soon as possible) regarding the deductibility of these expenses in your situation

# Medical Care



Medical Care includes amounts paid (A) for the diagnosis, cure, mitigation, treatment or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance) (and) (B) for transportation primarily for and essential to medical care.

*Section 213(d)(1) & (2) of the Internal Revenue Code of 1986.*



# Medical Expenses

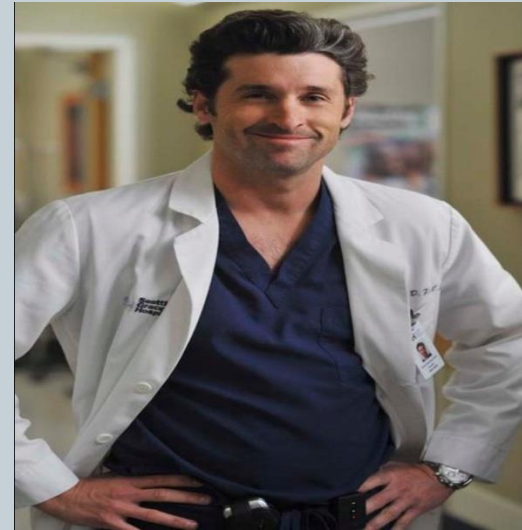


You can include in medical expenses the cost (tuition, meals, and lodging) of attending a school that furnishes special education to help a child to overcome learning disabilities. A doctor must recommend that the child attend the school. Overcoming the learning disabilities must be a principal reason for attending the school, and any ordinary education received must be incidental to the special education provided.

# What Do You Need?

While the IRS publications say you need a doctor's recommendation to claim the deduction, there are numerous court cases that sustain the deduction. In addition, Landmark's admission's process assists in the substantiating the medical deduction

The publications are written for a much broader audience, so their guidance is not tailored to Landmark's specific facts and circumstances.



# Court Rulings And Resources



- **E.F. Glaze vs. Commissioner (TCM 1961-244)** -establishes criteria for deducting costs as medical expenses:
  - The principal purpose of expenditure is for “medical” reasons,
  - If the expenditures directly relate to the treatment, and
  - could the treatment reasonably be expected to be effective.
- **Lawrence D. Greisdorf (54 TC 1684)**
  - Medical deduction allowed since **principal purpose for attendance was school’s therapeutic value** and wasn’t its incidental educational benefits.

# Court Rulings And Resources



- **Private Letter Ruling 8401024**

- School servicing students with Dyslexia ruled to qualify as a “Special School” under the definition of I.R.S Regulation 1.213-1(e)(1)(V)(a) thus qualifying expenses as medical deductions.

- **Private Letter Ruling 8447014**

- Curriculum of a special school may include some ordinary education, but this must be incidental to the primary purpose of the school to enable the student to compensate for or overcome a handicap, in order to prepare that student for future normal education and living. If school qualifies as special school tuition and other expenses, including expenses of transportation to and from the school to the extent such transportation is primarily for and essential to the Medical care, are deductible.

# Court Rulings And Resources



- **Revenue Ruling 78-340**-tuition under Dr. recommended program designed to return student to traditional program within a few years deductible as medical expenses.
- **Private Letter Ruling 200521003**
  - Helping the student overcome a physical or mental handicap and move on to normal education and living is the essence of special education. Normal education is not medical care because it is not designed to help someone overcome a medical disability. Thus, a physician or other qualified professional must diagnose a medical condition requiring special education to correct the condition for that education to be medical care.

# Court Rulings And Resources



## **Private Letter 200521003 continued**

- The school need not employ physicians to provide that special education, but must have professional staff competent to design and supervise a curriculum providing medical care. Overcoming the learning disabilities must be a principal reason for attending the school, and any ordinary education received must be incidental to the special education provided. Section 1.213-1(e)(1)(v)(a); Rev. Rul. 70-285, 1970-1 C.B. 52.

# Case Study 2



- Ben and May Parker...      One Child Peter
- Adjusted Gross Income:      \$250,000
- Itemized deductions :      \$ 42,944 before Landmark payment
- **Tax Due Before Landmark    \$ 37,322 before Landmark payment**
- **Tax Due AFTER Landmark    \$ 25,150 after Landmark payment**
- Marginal Tax rate:                      24%



# Case Study 2 continued



- Continued: Ben and May ... One Child Peter



Claiming Landmark expenses as a Medical Deduction

American Opportunity Tax Credit:     \$0– they made too much \$

Medical Deduction:                     \$73,400

Tax savings resulting from Landmark investment: \$ 12,172

✓ *Does not include any potential state tax savings or from additional medical deductions.*



# What does Paying Mean?



- Eligible for deduction/credit in year paid except for loans
- Loans
  - Parent
    - Treated as paid when credited to student's account
    - Eligible for deduction/credit
  - Student
    - Treated as paid when credited to student's account
    - Eligible only for tax credit (not medical deduction) on parent's return if they are claimed as a dependent



# Case Study 3



- Howard and Maria Stark      One Child Tony
- Adjusted Gross Income:      \$ 70,000
- Itemized deductions :    \$ 4,642 before Landmark payment  
   taking Standard Deduction
- **Tax Due Before Landmark \$ 4,642 before Landmark payment**
- **Refund Due AFTER Landmark \$ 1,000 after Landmark payment**



# Case Study 3 continued



- Continued: Howard and Maria One Child Tony
- Claiming Landmark expenses as a Medical Deduction
- American Opportunity Tax Credit: \$ 2,500
- Medical Deduction: \$ 60,400 as Medical Deduction  
(73,400-7,500-4,000-(5,500-4,000))
- Tax savings resulting from Landmark investment: \$ 5,642



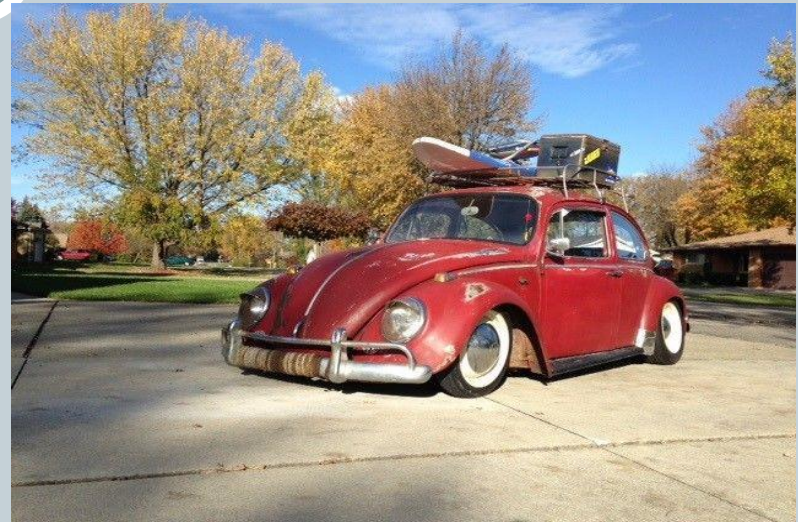
- ✓ *Does not include any potential state tax savings or from additional medical deductions or additional unused deductions*
- ✓ *Revise W-4 withholdings to put \$ in pocket today to assist in making tuition payments*

Also reduced by:

- \$7,500 Scholarship
- \$5,500 Direct Loan

# Start Planning Now

Document all your medical costs (including mileage) to maximize your tax deductions and further reduce the after-tax cost of your Landmark investment.



# 2019 and 2020 Tax Information



- Qualifying Child & Qualifying Relative:

- ✓ Medical or education deductions/credits are available only for individuals for whom you can claim as a dependency subject to certain exceptions for medical deductions.

- Mileage Rates:

- ✓ Medical .20 in 2019 and .17 in 2020

- ✓ Business \$.58 in 2019 and .575 in 2020

# Fortifying Your Deduction



- Add a statement to return detailing medical deduction claimed and principal purpose for attendance at Landmark College for its therapeutic values, illustrative example available
- If selected for audit, provide detail of deduction, information about Landmark College and various reference materials to your representative or the IRS agent if you are handling your own case, not generally recommended.
- **Critical to stress to IRS agent that therapeutic treatment was primary reason for attendance at Landmark College and education received was incidental to this treatment.**

# Other Tax Strategies



- **Withdrawal from Health Savings Account:** If tax-free expenses qualify for medical deduction, no medical deduction allowed for amounts withdrawn from HSA account (can't take both HSA deduction and in itemized medical deduction)
- **Withdrawal from ROTH IRA account,** amounts contributed/converted come out first, no taxes due. Earnings after 59 1/2 and five years of account being open are tax free. Can still claim Medical deduction or Education credits if otherwise eligible.

# Other Funding Methods



- **Withdrawal from IRA account**, taxable, but withdrawals for education expenses and medical expenses in excess of 10.0% of AGI not subject to 10% early withdrawal penalty. Expenses still qualify for medical/education deduction or credit if qualification criteria are met. Income will increase AGI which may affect deductions and credits.
- **Withdrawal from Qualified Plan**, if allowable and if structured as a loan, it is nontaxable if repaid. If not repaid - taxable. If structured as a taxable withdrawal, funds used for medical expenses in excess of 10.0% of AGI not subject to the 10% penalty; education does not qualify for exception from the penalty. Unpaid loans upon separation from service are taxable, and potentially subject to penalty.



# Deducting Forward



# Homework



- ✍ Start Today, ensure all medical deductions are captured, leverage the tax savings like a pro
- ✍ Speak with your tax professional/financial adviser, don't wait until last minute. It can be impossible to get their attention as October 15, 2021 or April 15th, 2021 approaches.
- ✍ We are here to help!



# Contact Information



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