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The Tax Experts



California Society of Enrolled Agents Orange County Chapter

#### UPCOMING PROGRAMS and EVENTS

DATE	PROGRAM / EVENT	CPE	SUBJECT	LOCATION
December 20	Dinner Meeting	1 hr	Sales Tax Issues	Phoenix Club of Anaheim
January 13, '06	All Day Seminar	7 hrs	IRS Practitioner Seminar	Irvine Hilton
January 17	Dinner Meeting	3 hr	The TaxBook Tutorial	Phoenix Club of Anaheim
February 21	Dinner Meeting	1 hr	California Update	Phoenix Club of Anaheim
March 21	Dinner Meeting	1 hr	IRS Update	Phoenix Club of Anaheim
May	All Day Seminar	hrs	IRS E-File Roundtable	Phoenix Club of Anaheim
May 16	Dinner Meeting	1 hr	Dementia: Aging & Taxes	Phoenix Club of Anaheim
June 20	Dinner Meeting	2 hrs	Ethics	Phoenix Club of Anaheim
July 18	Dinner Meeting	1 hr	Getting Ready For An Audit	Phoenix Club of Anaheim



The Tax Experts



# The Orange County **ENROLLED AGENT**



Editor: Dale Quelle, EA • 14340 Bolsa Chica Rd. #A • Westminster, Ca 92683-4868 • 714-899-2221

www.eaoc.org

Volume 2005-2006

Issue 6

1 HOUR CPE PROGRAM (CTEC Approved)

DECEMBER, 2005



Presented by Graham Hoad, CMI, EA

ssues



THERE'S STILL TIME to order your 2005 TaxBooks! See order info on page 4.

**OUICKIES** from the OUILL

YOU CAN HELP! Suport Women's Transitional Living Center (WTLC). Bring your donation to the Dec dinner meeting. See page 6 for needed donations.

CSEA offers one hour of CPE every month via conference call. See the CSEA Director's Report on page 3 for details.

Iraham Hoad is the president and managing director of Sales Tax Resource Group, a tax Consulting firm specializing in multi-state sales and use taxation. His firm specialized in sales/use tax audit representation and appeals, refunds, research and training.

Prior to forming the Sales Tax Resource Group, Graham spent four years as a Tax Auditor with the California State Board of Equalization and was a Multi-state Tax Consultant for Deloitte & Touche.

He also presents seminars and lectures on sales/use tax topics. Graham obtained his Bachelors degree in Accounting from California State University, Long Beach. He is a Certified Member-Sales Tax of the Institute for Professionals in Taxation, and is enrolled to practice before the IRS.

## **AGENDA**

December 20th, '05

4:30 Board Meeting

5:30 Social Time

6:00 Dinner Hour 7:00 CPE Program

\$30 for pre-registration before 4:00 P.M. on the Friday prior to the dinner meeting; \$35 for on-site registration.

You may phone registration to Cathy Patel, EA at 949-515-2862 or email reservation@eaoc.org (please include your EA number). Cathy will be using last years permanent list for this year, too. If you want to be added to the permanent list, or deleted from it, please contact Cathy.

Wear your name badge and be recognized!

#### DINNER MENU

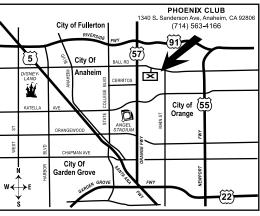
- · Salmon in Dill Sauce
- · Prime Rib Carved
- Whipped Potato · Rice Pilaf
- Chef Choice Vegetables
- · Garden Green Salad, 2 Dressings
- · Artichoke Hearts, Tomato Wedges
- Ambrosia
- · Rolls & Butter
- Apple Strudel
- German Chocolate Cake
- · Coffee, Decaf, Hot & Iced Tea



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#### MEETING LOCATION

THE PHOENIX CLUB 1340 Sanderson Avenue, Anaheim



DIRECTIONS: Ball Rd Exit from 57 Fwy; Go East to Phoenix Club Dr;

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## PRESIDENT'S MESSAGE

by Lisa Newton, EA

hope everyone enjoyed their Thanksgiving and I trust we all had ■ many things to be thankful for. Now as we turn our attention toward more holidays and giving, are there any of you that could give a little of your time to OCEA?



One of my goals, as president, was to make sure we had more than one person who could do every task we needed accomplished to keep our organization going. A volunteer organization is only as good as its volunteers and we have some wonderful volunteers.

Dale Quelle has been editing our newsletters since 2001 and he does a fantastic job. But, Dale cannot take time off from that job, because no one else can do it. Isn't there someone out there among you who could give Dale a hand and learn to put out the newsletter? If you think you might be interested you could give Dale a call or email him and he could give you the details as to time and commitment needed. Any help offered is better than none.

Additionally, we have Neal Gallaway who has done a stand up job recreating our website and keeping it up to date. Neal needs help one day a month, but Neal needs someone who is familiar with MS Front Page. Do you have someone in you office or an offspring if you cannot, that could help him?

Finally, we need someone to assist Cathy Patel with Scholarship. This would require a few hours total and could be accomplished through faxes, phones and email.

None of the above requests would require the volunteer to attend board meetings or be on the board and we understand your busy schedule and in most cases we can be flexible. If we cannot get anyone to help us we may be forced to hire outside contractors to do the tasks we cannot. That could be expensive and we only need a few hours of your time. We would rather spend the funds available to us on the education events we offer as benefits to you.

One last request, if you want to be on the board or you know someone you think would be good email us at nominating@eaoc.org. New ideas come in with new blood.

Have a wonderful holiday season and if you think you can help, contact anyone on the board and let us know what you can do.

~ Lisa

### TAX TEASER by Dale Larsen, EA -

Cecilia, employed as a nurse, incurred the following expenses during 2004.

- \$2,000 in attorney fees related to the collection of alimony payments
- \$8,000 in gampling losses
- \$1,000 in uniform burchase costs
- \$900 in union dues

Cecilia also had stereo equipment valued at \$3,000 stolen from her home in 2004. Cecilia's adjusted gross income (AGI) for 2004 was \$90,000, included in which were gambling winnings of \$2.000. For 2004, what is the amount of miscellaneous itemized deductions subject to the 2% of AGI limitation that Cecilia can report after deducting the 2% of AGI limitation?

A. \$8,900

B. \$2,100

c. \$5,900

D. \$3,100

800-797-1410

President

Chapter Phone:

Lisa Newton, EA 1901 E Lambert Rd #103 La Habra, CA 90631 (562) 267-0351, lisa@eanewton.com

st Vice President

Peggy Ligori, EA 650 N San Jacinto St # C Hemet, CA 92543 (951) 658-0210, pmlea@ligoritax.com

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Secretary

Dan Carlberg, EA 9774 Katella Ave, Ste 102 Anaheim CA 92804-6449 (714) 774-8129, djcarlberg@sbcglobal.net

Patty Kappen, EA 31726 Rancho Vieio Rd. #215 San Juan Capistrano, CA 92675 (949) 496-1174, patrecea@aol.com

Directors

Jack Allen, EA 6321 Dashwood St Lakewood, CA 90713-2015 (562) 292-3806, jcallenfp@earthlink.net

Neal Gallaway, EA 1669 E. Lincoln Ave Orange, CA 92865 (714) 637-4339, nggallaw@sbcglobal.net

Debbie Harris, EA 5848 Naples Plaza #204 Long Beach, CA 90803 (562) 438-6636, debbieha@aol.com

Ken Noland, EA 17461 Irvine Blvd #M Tustin, CA 92780-3039 (714) 505-1925, ken@companycfo.com

Meg Shields, EA 3474 Second St Norco, CA 92860 (909) 735-8299, mmegg2003@yahoo.com

CaSEA Directors

Dona Evans, EA 130-D Centennial Way Tustin, CA 92780 (714) 838-5002, devans4u@pacbell.net

Joni Terens, EA 17632 Irvine Blvd, Ste 150 Tustin, CA 92780 (714) 832-4633, joni@abt-tax.com

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#### WELCOME NEW MEMBERS!

- Kevin Francis, EA
  - LaDonna Kienitz, Esq.



- William Cuthbertson
  - Harold Ramey
    - Karen Reed

#### The CLASSIFIEDS

HELP WANTED Assistant in financial services office in Orange to do general office work, marketing and tax preparation. May also involve securities and real estate. Must have computer skills and aptitude to learn taxes. Will train. Contact Leonard Wyss, EA at (714) 974-7623.

WANTED EXPERIENCED TAX PREPARER for upcoming tax season. Knowledge of Lacerte software is helpful. Call Sam Milazzo of State Business Service at (562) 869-4819 or (714) 962-8408. Fax (562) 869-7529. Ad placed by OCEA member Donna Miller, EA.

TAX PRACTICE AVAILABLE FOR SALE Seeking the right person (preferably an EA) to purchase my tax practice after the completion of next tax filing season. I am retiring due to declining health but will participate in the orderly transition with the purchaser. Practice consists of 85% tax preparation, 10% write-up and 5% audit and collection representation. My practice was established in Fullerton in 1988 and now consists of approximately 200 clients. I would like the purchaser to maintain the business in the same general area. Price and terms are negotiable. Call Clem St.Louis at (714) 879-7511 or fax (714) 871-4446.

EXPERIENCED EA/Tax Preparer position available in Fountain Valley. Lacerte proficiency a must. QuickBooks savvy a plus. Fax resume to Tom Bass, EA at (714) 241-0189 or email tax@accountablesolutions.biz.

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OFFICE SPACE AVAILABLE - ANAHEIM Located within a two-story professional CPA office. Shared reception, kitchen area, conference Room. Internet access. \$350/month. Call Lee Akin, EA (714) 491-9500. Strayer Saylor and Associates, Inc.

IRS COLLECTION PROBLEM? Got a client with an IRS collection problem? Call Carl! OCEA member, retired IRS Revenue Officer. Phone/fax 949-589-1137, E-mail Carl Carter at <a href="mailto:buick61guy@aol.com">buick61guy@aol.com</a> preferred.

TAX PROFESSIONALS NEEDED TaxResources, Inc. is hiring tax professionals for the 2006 tax season! Positions are available at our Orange County and Sacramento locations. Enjoy flexible hours, earn great pay. To find out more about our company and job opportunities, and to apply online, visit our website at jobs.taxaudit.com. OCEA member Dave DuVal.

HELP WANTED. Need EA for year-round position in Brea tax office. Experience in all aspects of tax preparation including estate tax and IRS audit/appeals representation is desired. Candidate should have good communication skills and be proficient with Lacerte, Excel and Quickbooks software. Fax resume to Patrick Hurley, EA @ (714) 996-1582.

BANKRUPTCY Questions regarding bankruptcy, business formations or business litigation? Certified specialist in personal/small business bankruptcy w/25 yrs experience practicing law in Orange County. Rick Barnett, Barnett & Rubin (AV rated), 949-261-9700 or <u>rick@barnettrubin.com</u>

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# SHARE FOR CHRISTMAS

ONCE AGAIN IT IS TIME to show our support of the wonderful work done by our friends at the Women's Transitional Living Center (WTLC - they help battered women and their children).

We will be collecting Bisquick, boxed pasta, rice and potato dishes, canned fruit and vegetables, cereal, baby wipes, bath soap and shampoo, coffee, creamer and sugar, diapers (infant through 5), paper towels, toilet paper, toothbrushes and toothpaste. Or just a \$10 gift will go a long way to show we care.

PLEASE BRING YOUR DONATIONS TO THE DECEMBER DINNER MEETING.



#### **Limited Liability**

By Joseph E. Ligori, EA

When viewing the recent popularity of the LLC (Limited Liability Company) one might attribute that popularity to the "Limited Liability" inference of this entity type. But what does that 'Limited Liability' imply? And further, what are the members of this entity type actually receiving in the way of liability protection? In looking into the legal make up of this entity type we find similarities with LLP (Limited Liability Partnership), Limited Partnerships and the corporate structures. This similarity is found in the concept of "owner's liability" where indebtedness, including those brought about by litigation, cannot be extended beyond the company's assets. Therefore, the 'owner's liability" is that amount which he/she has invested in the company. The creditor who is claiming the indebtedness may not seek recovery from the personal assets of the owner. Of course, these are general principals and more legal foundation is underlying that simple description.

The reality here is that with regard to small businesses this level of protection is rarely utilized. Most creditors will require personal guarantees of one or more of the owners since virtually none of these small businesses have assets worthy of the extensions of credit desired. Once that owner, or combination of owners, personally guarantees any loan or credit transaction, their personal assets now become available to that creditor. Protection from liability for lawsuits may exist, but only when the suit is directed at the 'company' and the owner is not named specifically. In cases where the owner (or owners) are negligent or caused injury by their managerial actions they can be held personally liable separate and apart from company's assets. There is a somewhat unique aspect of the LLC and LLP wherein its members may play a part in managing the company but will be granted limited liability. Effectively, your personal assets may be protected and not subject to seizure as a result of the actions, negligence or 'malpractice' of another member of your company. The Limited Partnership must designate 'Limited' partners as those not in a managerial role and thus these limited partners would attain 'limited liability'. In the corporate environments officers of the corporation become the liable parties whereas the general stockholders are afforded the 'limited liability' status. Sole proprietors and general partnerships share none of these 'limited liability' protections, however one of these entities with proper liability insurance may offer a reasonable amount of protection in most cases.

The reality here is that with regard to small businesses this level of protection is rarely utilized. Most creditors will require personal guarantees of one or more of the owners Helping a client choose an entity type for a specific application can be complicated. Although we are most concerned with tax implications and explanations, we should also bring the legal and liability issues to the client's attention. Should the client have complex questions or appear concerned about the legal or liability issues, recommend that they seek the help of legal counsel before making a decision about the entity type they will choose.

#### **CSEA Director's Report**

#### **CSEA Audio Tax!**

Each month CSEA offers *one hour of CPE* from the comfort of your own office or home via conference call. CSEA Audio Tax sessions will be held from 11 to 11:50 a.m. Pacific time on the first Wednesday of every month. Material will be available for downloading the Monday prior to the class.

The cost for *each* session is only \$50 for Members and \$75 for non-Members. To register for these timely and important sessions, complete and sign the registration form (available at CSEA.org\_ and fax to 916/366-6674, or call 800/777-2732 during business hours.

#### **UPCOMING TOPICS**

- Wednesday, December 7: Long Term Care
- Wednesday, January 4, 2006: 2005 Federal Tax Update

CSEA is using email more and more to update its Members on education and other events they offer. Make sure your email add is up to date with CSEA to be kept informed.

Sincerely.

Dona Evans, EA and Joni Terens, EA CSEA Directors



Dona Evans, EA



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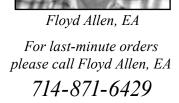
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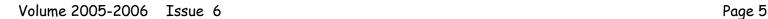
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Join CSEA and take advantage of the many resources available to expand your horizons. Plan now to attend our dinner meetings of the Orange County Chapter of Enrolled Agents, held monthly on every third Tuesday at The Phoenix Club of Anaheim, starting at 5:30 P.M. Directions to The Phoenix Club are on the front page. You need NOT be an Enrolled Agent to join. Associate's status in CSEA is available to CTEC tax preparers. Regular membership is available to all EA's, CPA's and attorneys. Associates and regular members enjoy the same privileges. Fill out the application form on page 5 and follow the instructions to return it to CSEA with your payment.





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