

THIRTY-FIFTH ANNUAL NYSSEA CONFERENCE SCHEDULE

(PAYMENT MUST ACCOMPANY REGISTRATION FORM)

~~~Please check "Attend" boxes below for classes you plan to attend~~~

CLASS SCHEDULE

Friday, October 28, 2022

|             |                                              |       |        |                                                                               |  |  |  |
|-------------|----------------------------------------------|-------|--------|-------------------------------------------------------------------------------|--|--|--|
| 3:00pm      | Registration begins; goes through 7:00pm     |       |        |                                                                               |  |  |  |
| 4:00pm      | Conference Begins: Welcome & Opening Remarks |       |        |                                                                               |  |  |  |
|             | #CE                                          | Class | Attend | Topic/Presenter                                                               |  |  |  |
| 4:10-5pm    | 1                                            | TBD   |        | ADP, The Secure Act                                                           |  |  |  |
| 5:20-7pm    | 2**                                          | 455   |        | Circular 230 Panel Discussion<br>Phyllis Jo Kubey, Sherrill Trovato, Bob Kerr |  |  |  |
| 7:00-9:00pm | Welcome Reception                            |       |        |                                                                               |  |  |  |

Saturday, October 29, 2022

|               |                                                            |       |        |                                                                         |     |       |        |                                      |
|---------------|------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------|-----|-------|--------|--------------------------------------|
| 7:00-8:30am   | Breakfast                                                  |       |        |                                                                         |     |       |        |                                      |
| 7:30am-3pm    | Vendor Exhibit Area and Auction open                       |       |        |                                                                         |     |       |        |                                      |
| 8:00am        | Registration begins; goes through 3:00pm                   |       |        |                                                                         |     |       |        |                                      |
| 8:30am        | Conference Day 2 Begins: Today's Welcome & Opening Remarks |       |        |                                                                         |     |       |        |                                      |
|               | #CE                                                        | Class | Attend | Topic/Presenter                                                         |     |       |        |                                      |
| 9:00-10:40am  | 2                                                          | 456   |        | Frank Degen, EA, USTCP<br>Defending the Form 1040 (Items on Schedule C) |     |       |        |                                      |
|               | #CE                                                        | Class | Attend | Topic/Presenter                                                         | #CE | Class | Attend |                                      |
| 11-11:50am    | 1                                                          | 457   |        | Kerr, Your Record-Challenged Client                                     | 1   | 458   |        | Frank Lin, Inventory & COGS          |
| Noon          | Luncheon with 1st business meeting                         |       |        |                                                                         |     |       |        |                                      |
|               | #CE                                                        | Class | Attend | Topic/Presenter                                                         | #CE | Class | Attend | Topic/Presenter                      |
| 1:15pm-2:55pm | 2                                                          | 459   |        | Katrina Haynes, Foreign Pensions & Annuities                            | 2   | 460   |        | Brad Messner, Schedule E and Beyond! |
| 3:15-4:00pm   | 1                                                          | TBD   |        | Lin, Employing Family Members vs Non-family Members                     |     |       |        |                                      |
| 6-9:30pm      | NYSSEA 35th Anniversary Celebration (ticket required)      |       |        |                                                                         |     |       |        |                                      |

Sunday, October 30, 2022

|               |                                                                       |       |        |                                                                                                    |     |           |        |                             |
|---------------|-----------------------------------------------------------------------|-------|--------|----------------------------------------------------------------------------------------------------|-----|-----------|--------|-----------------------------|
| 7:00-8:30am   | Breakfast                                                             |       |        |                                                                                                    |     |           |        |                             |
| 7am-5pm       | Vendor Exhibit Area Open w/Auction 7:30am-3:00pm                      |       |        |                                                                                                    |     |           |        |                             |
| 8:30am        | Registration begins; goes through 5:00pm                              |       |        |                                                                                                    |     |           |        |                             |
| 8:30am        | Conference Day 3 Begins: Today's Welcome & Opening Remarks            |       |        |                                                                                                    |     |           |        |                             |
|               | #CE                                                                   | Class | Attend | Topic/Presenter                                                                                    |     |           |        |                             |
| 9:00-10:40am  | 2                                                                     | 461   |        | Frank Degen, EA, USTCP & Sherrill Trovato, EA, USTCP<br>Preparing for an Appeal/Tax Court Petition |     |           |        |                             |
|               | #CE                                                                   | Class | Attend | Topic/Presenter                                                                                    | #CE | Class     | Attend | Topic/Presenter             |
| 11:00-11:50am | 1                                                                     | 462   |        | Haynes<br>Foreign Tax Credit for Individuals                                                       | 1   | 463       |        | Matt Metras<br>Day Traders  |
| Noon          | Luncheon with 2nd business meeting & election announcements           |       |        |                                                                                                    |     |           |        |                             |
|               | #CE                                                                   | Class | Attend | Topic/Presenter                                                                                    | #CE | Class     | Attend | Topic/Presenter             |
| 1:15-2:55pm   | 2                                                                     | 464   |        | Haynes<br>FBARs and FATCA Reporting                                                                | 2   | 465       |        | Messner<br>Entity Selection |
|               | #CE                                                                   | Class | Attend | Topic/Presenter                                                                                    | #CE | Class     | Attend | Topic/Presenter             |
| 3:15-4:55pm   | 2                                                                     | 466   |        | Lin, Advanced S Corps & Partnerships topic                                                         | 2   | 467       |        | Metras<br>Crypto Update     |
| 6:00-9:30pm   | Sunday Evening Gala: Cocktail Party, Banquet and Officer Installation |       |        |                                                                                                    |     | Location: |        |                             |

Monday, October 31, 2022

|                                            |                                                               |       |        |                                                                                   |  |  |  |
|--------------------------------------------|---------------------------------------------------------------|-------|--------|-----------------------------------------------------------------------------------|--|--|--|
| 7:00-8:30am                                | Breakfast                                                     |       |        |                                                                                   |  |  |  |
| 7am-12pm                                   | Vendor Exhibit Area Open                                      |       |        |                                                                                   |  |  |  |
| 8:30am                                     | Conference Last Day Begins: Today's Welcome & Opening Remarks |       |        |                                                                                   |  |  |  |
|                                            | #CE                                                           | Class | Attend | Topic/Presenter                                                                   |  |  |  |
| 8:30-9:20am                                | 1                                                             | 469   |        | Kerr<br>IRS Update: Recent Tax Developments and Why Tax Practitioners Should Care |  |  |  |
| 9:30-10:20am                               | 1                                                             | 468   |        | Trovato<br>Engagement Letters                                                     |  |  |  |
| 10:20-11am                                 | Check-out and goodbyes                                        |       |        |                                                                                   |  |  |  |
| 11-11:50am                                 | 1*                                                            | XXX   |        | Henry Grabkowitz, NYS PTET Update                                                 |  |  |  |
| ** Does not provide Ethics Credit for CPAs |                                                               |       |        | *NAEA credit only                                                                 |  |  |  |

TAX RESOLUTION HELP DESK  
WITH SAL CANDELA, EA (sign-up sheet onsite)

TAX RESOLUTION HELP DESK  
NYSDTF 10:00am-4:00pm

## Course Descriptions

### **Friday, October 28th**

#### The Secure Act - ADP:

The Secure Act passed at the end of 2019 implemented sweeping changes to retirement account withdrawal options and future saving opportunities for taxpayers working later in life. Small business owners can also take advantage of expanded credits by offering retirement savings plans to their employees. This course will highlight the key changes implemented by this significant legislation and highlight areas for practitioners to advise their clients on tax saving opportunities.

#### Ethics in the Real Tax World – A panel discussion with Phyllis Jo Kubey, EA, CFP; Sherrill Trovato, EA, USTCP & Robert Kerr, EA:

How do you handle the various shades of gray that regularly occur in your tax practice? Under Circular 230, what is your ethical duty to the client ... to the IRS ... and to yourself? How do you protect yourself from conflicts of interest? This interactive class discusses relevant Circular 230 provisions and uses real world scenarios to pose ethical dilemmas that may appear when preparing returns or representing taxpayers.

### **Saturday, October 29th**

#### Defending Schedule C Items on Form 1040 – Frank Degen, EA, USTCP:

The 1040 Form was filed and is now subject to IRS scrutiny via audit of the return - in particular, items on Schedule C. This session will review various tools (Tax Court decisions, Code sections, Cohan Rule and others) a Circular 230 practitioner might use to help defend positions taken on the tax return. Items to be discussed will include two frequently challenged issues; not-for-profit activities and ordinary and necessary business expenses.

#### Your Record-Challenged Client – Robert Kerr, EA:

Even if your long-term clients are well trained, new clients inevitably bring their own recordkeeping issues, including lackluster (or no) records. In this briskly paced survey, participants will receive onboarding strategies for these clients; distinguish between a low-record representation and prep client; consider Cohan v. Commissioner, its evolution, and its limitations (§274 and otherwise); and discuss how and whether to disclose a return position.

#### Inventory & COGS – Frank Lin, EA, CPA:

Small businesses that hold inventory must report inventory changes annually. We will cover the differences between direct and indirect expenses; traditional calculation method; FIFO, LIFO and specific identification; and several alternative method calculations that may be used if the actual method is not possible.

#### Foreign Pensions & Annuities – Katrina Haynes, CPA:

Learn how foreign pensions and annuities are treated for tax purposes. By the end of this session, you will be able to respond to any foreign pension or annuity questions that come your way! We will cover the tax treatment of foreign contributions, the tax treatment of foreign distributions, tax treaty positions which apply to foreign pensions and annuities and the tax treatment of qualified and nonqualified plans.

Schedule E and Beyond! – Brad Messner, EA:

Rental income has become a growing trend in America and, along with it, increased tax compliance, regulations, deduction opportunities and unique tax planning options. We will be discussing short and long-term rental options, including vacation properties, and how to accurately report them on personal and entity returns. More so, we will look at the qualifications to be considered a real estate professional as well as unique and creative deductions.

Employing Family Members vs Non-Family Members – Frank Lin, EA, CPA:

Living with family members may be a challenge, but what happens when you work with them? Although this course may not be able to help you correct the bad habits of your children, it does describe some tax implications and savings in hiring family members and why it might be worth your time to consider it.

Tax Resolution Help Desk:

Sal Candela has years of experience helping taxpayers deal with their federal and state tax problems. Bring your difficult cases to Sal this weekend for guidance on how to handle or where to go next.

**Sunday, October 30th**

After the Audit – Preparing for an Appeal/Tax Court Petition – Frank Degen, EA, USTCP & Sherrill Trovato, EA, USTCP:

What is the next step after an erroneous audit conclusion? This session will look at two options for the taxpayer to seek redress. Relevant sections of both the Internal Revenue Manual and the Internal Revenue Code will be reviewed and the basic concepts for filing an IRS Appeals protest and a Tax Court petition will be discussed. Valuable tips will be shared and class interaction will be encouraged during discussions.

Foreign Tax Credit for Individuals – Katrina Haynes, CPA:

In this session you will learn how to apply the US foreign tax credit to individual taxpayers to offset any double taxation as a result of being an international taxpayer. This course will specifically cover the difference between the foreign tax credit and the foreign tax deduction, the difference between the cash and the accrual method for calculating the foreign tax credit, US versus foreign source income and the tax treaty resourcing provisions. Look forward to learning through lots of examples!

Day Traders – Matt Metras, EA:

Many clients think of themselves as “Day Traders,” but do they meet the IRS definition? An examination of Tax Trader Status and the Mark-to-Market election for high volume traders. We’ll also explore some tax court decisions in this area in order to best prepare your clients for an IRS challenge.

FBARs & FATCA Reporting – Katrina Haynes, CPA:

For US Citizens and Green Card Holders living outside of the United States, there is more to worry about than simply filing your tax return. With the implementation of FATCA and the Intergovernmental Agreements, US filers have had their foreign investments exposed. This course will discuss the proper reporting of information on FBARs, IRS Form 8938 and the FATCA regulations, and more! Once this session is over you will be able to identify the Foreign Bank Account Reporting requirements, discuss FATCA and how it affects US individual tax filers, understand the penalties for noncompliance and identify the options to correct any previous compliance issues.

Entity Selection: From Tears of Pain to Tears of Joy – Brad Messner, EA:

Tax law has become more and more complex which provides greater opportunities for us to advise clients on strategies to leverage entities to better account for their tax goals – minus the fear and pain. We will discuss deduction differences, tax reduction strategies, loss limitations and basis-related concerns all associated with sole-proprietorships, partnerships, S corporations, and C corporations. Particular focus will be on tax planning strategies, including QBI-related differences.

Advanced S-Corp/Partnership topic – Frank Lin, EA, CPA:

As scrutiny of passthrough entities increases, Frank offers a discussion of such topics as the differences between ownership/profit/loss percentages of owners and shareholders; issues with inside and outside basis calculations; and PTET – how to handle the “year after”. Specific topics subject to change.

Crypto Update – Matt Metras, EA:

Cryptocurrency is a fast-paced and quickly changing environment. We'll review what's new in the crypto world and the tax implications that go along with it. From stablecoins to NFTs and from DeFi Kingdoms to the Metaverse, if there's a crypto transaction it likely has taxable implications. Content subject to change.

NY Tax Resolution Help Desk:

NYSEA has established a great working relationship with the New York State Department of Taxation and Finance, and we are pleased to welcome them back this year. If you or your clients have tax issues that are specific to New York, come visit the NYS DTF help desk.

Tax Resolution Help Desk:

Sal Candela has years of experience helping taxpayers deal with their federal and state tax problems. Bring your difficult cases to Sal this weekend for guidance on how to handle or where to go next.

**Monday, October 31st**

IRS Update: recent tax developments and why tax practitioners should care – Robert Kerr, EA:

This course will focus on selected administrative, legislative, and regulatory tax changes. While the course is developed as close to go-time as possible, likely topics include noteworthy legislative machinations (e.g., infrastructure and/or Build Back Better), recent tax law changes, Tax Policy 101, IRS enforcement strategies, IRS budget/hiring, the Taxpayer First Act, and/or recent oversight audits from TIGTA or GAO.

Engagement Letters – Sherrill Trovato, EA, USTCP:

An engagement letter defines the business relationship between the two parties, including the scope of the work and terms. It is a best practice to use them for tax preparation, tax consulting, and tax representation, and using them regularly can protect you in client disputes. What terms should you include, or avoid, in an engagement letter? How can an engagement letter help you both engage and disengage with clients?

PTET Update – Henry Grabkowitz, EA:

The objective of the session is to update attendees on the various changes and “clarifications” made by tax agencies in connection with the Pass-Through Entity Tax regime. This session will focus on New York although other states have adopted similar provisions.

## Instructor Bios

**Salvatore P. Candela, EA** has more than 20 years of diversified professional experience in tax representation, tax planning, and small business accounting. His practice is concentrated in representation of taxpayers before federal and state administrative agencies, corporate taxation, and compliance services. He uses his years of real-world experience to promote business and personal tax planning.

**Frank Degen, EA, USTCP** is a self-employed practitioner in Setauket (Long Island), New York. Frank is a fellow of the National Tax Practice Institute. Frank served two terms as President of the National Association of Enrolled Agents (NAEA). He was also a three-term president of the New York State Society of Enrolled Agents (NYSSEA) and was awarded the NYSSEA Founders Award in 1999. He has been quoted extensively in publications such as The Wall Street Journal, Business Week, US News and World Report, USA Today and Kiplingers and is a four-time panelist on TaxTalkToday. Frank has a Bachelor's degree in mathematics from Iona College and a Master's degree from Johns Hopkins University. He became an Enrolled Agent in 1984.

**Henry Grabkowitz, EA**, has been employed in the field of public accounting since March 1979, first as an accounting clerk and then as an accountant when he completed his degree. He passed the Special Enrollment Examination in 1992 and became an NTPI fellow in 2008. He is currently a principal in the firms Soaring Eagle Systems LLC in Holbrook, NY and an associate with Summit Tax Advisors in Woodbury, NY. Henry's practice consists mostly of income tax preparation for high income and high net worth individuals and their closely-held entities, as well as representation before various taxing authorities.

**Katrina Haynes, CPA** has over twenty years of experience providing US citizens, US Green Card Holders and foreign nationals with tax consulting and compliance services at some of the largest accounting firms in the world. Through her firm Haynes and Associates, she is focused on providing high-quality US expatriate and foreign national tax and consulting services. Katrina is a Certified Public Accountant (CPA) and is an active member of the American Institute of Certified Public Accountants (AICPA), the National Society of Black Certified Public Accountants (NSBCPA), and the National Association of Black Accountants (NABA).

**Bob Kerr, EA** is principal of Kerr Consulting LLC, where he consults with individual firms on tax administration issues and pursues a long-held interest in education and public speaking. During his career in tax, he held a variety of positions at the IRS, served as professional staff on the Senate Finance Committee, and held several leadership posts at the National Association of Enrolled Agents. Bob earned a BA degree in finance from Mount Union College and an MBA from Case Western Reserve University, both in his home state of Ohio. Interested tax professionals may follow him on Twitter (@BSG\_BobKerr).

**Phyllis Jo Kubey, EA CFP®, NTPI Fellow** has prepared tax returns and offered tax planning, representation, and consultation services since 1986. A strong advocate for IRS/practitioner dialogue, she served on the Internal Revenue Service Advisory Council (IRSAC) and testified before the U.S. Senate Finance Committee on IRS reform. She serves as President of the New York State Society of Enrolled Agents (NYSSEA) and a director/officer of Voices of Ascension. Phyllis is recognized as one of the top must-follow Tax Twitter accounts for 2021 and 2022. She's quoted frequently in the tax press and writes for Think Outside the Tax Box.

**Frank Lin, EA, CPA** is a tax accountant and partner at Jet Tax Service Inc., a privately owned accounting firm located in Queens, New York City. He is an Enrolled Agent and Certified Public Accountant with an MBA from CUNY Baruch College. In addition to his work at JET Tax Service Inc., Frank has taught as an adjunct professor at Baruch College, and has presented for both the AICPA and NYSSEA. He is happily married with two beautiful daughters, Mira and Cara.

**Matt Metras, EA** is the owner of MDM Financial Services in Irondequoit, NY. He has been practicing since 2003 and specializes in bookkeeping and taxation for cryptocurrency clients. He is a frequent guest on the Bitcoin Taxes podcast. He is an instructor on Cryptocurrency Taxation for the National Association of Enrolled Agents and NY State Society of Enrolled Agents and is a contributing writer for thinkoutsidethetaxbox.com. Additionally, he is an administrator of the “Bitcoin & Cryptocurrency Tax Info” Facebook group and a moderator of the r/cryptotaxation subreddit. Matt is also a passionate community advocate and serves on his local Board of Education.

**Brad D. Messner, MBA, CBSA, EA** is a third-generation owner of M & J Tax Service located in Pennsylvania. He is the first Enrolled Agent in the firm’s history and has 27 years of experience specializing in corporate, farm, and rental income tax. Brad also has over 20 years of experience developing and managing security solutions for large, global organizations which eventually led him to launch his own global software firm in 2016. After obtaining his MBA, Brad’s focus shifted to higher education where he is also currently a Professor of Cybersecurity, Computer Science, and Data Science and is currently a PhD Candidate with a research focus on blockchain’s implications on tax management.

**Sherrill Trovato, EA, USTCP**’s California firm specializes in tax preparation and controversy representation. She teaches a Tax Court exam prep course and is proud that since 2002 nearly 80% of those passing the exam were her students. She is a past president of NAEA and a fellow of NTPI. She is part of the Compass Tax Educators team and a regular instructor for various organizations, including NTPI 2002-2017.