

# Tax Section of the Florida Bar

September 2017 E-Newsletter

[www.floridataxlawyers.org](http://www.floridataxlawyers.org)

[@TaxSection FB](#)



## MEETINGS

**(SAVE THESE DATES)**

### Tax Section's 2017 Fall Meeting

Please make plans to join us for the

**Tax Section's 2017 Fall Meeting**

**October 12th through October 14th**

at the

**Conrad Hotel in Miami**

**1395 Brickell Avenue**

Click on link for Brochure: [2017 Fall Meeting Brochure](#)

Click on link for reservations: <https://aws.passkey.com/go/TheFloridaBar2017>

**CLE on Friday, October 13th will be  
Tax Planning for Real Estate Developers and Investors**

Click on link for Live Registration: [https://member.floridabar.org/eventAPI\\_router?event=a1R360000024jER](https://member.floridabar.org/eventAPI_router?event=a1R360000024jER)

Click on link for Webcast Registration:

<http://tinyurl.com/floridabarcle2558R>

**2018 International Tax Conference**

**January 10th through 12th**

at the

**JW Marriott Miami**

**1109 Brickell Avenue**

Click on link for hotel reservations: [Hotel Reservations](#)

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## **PHONE CLE'S**

**Topic:** Decoding the Valuation Puzzle - How ad-valorem property taxes are controlled by the Property Appraiser and what can be done about it.

To be discussed:

1. Understanding the meaning of different values and how they are determined (e.g. market value, just value, assessed value, Save Our Homes Value, taxable value, etc)
2. Understanding the Homestead exemption and Portability
3. How ad-valorem property taxes are determined
4. Challenging the valuation – administrative and judicial review
5. Five Biggest Myths about property taxes and appeals.

**Division:** Fed Tax Division of the Tax Section of the Florida Bar

**Date:** September 27, 2017 from 12:00 – 1:00 p.m.

**Speaker:** Seth D. Lubin, Esq.- Email: [Seth@Lubinlawfirm.com](mailto:Seth@Lubinlawfirm.com)

**The CLE will be free and worth 1 credit.**

**Location:** Dial-in information to be provided prior to CLE

**Topic:** New Partnership Audit Regime

**Division:** Fed Tax Division of the Tax Section of the Florida Bar

**Date:** October 18, 2017 from 12:00 – 1:00 p.m.

**Speaker:** Natalie Roberts

**The CLE will be free and worth 1 credit.**

**Location:** Dial-in information coming soon

**Topic:** Estate Plan - Current Developments and Planning in Light of Repeal

**Division:** Fed Tax Division of the Tax Section of the Florida Bar

**Date:** November 1, 2017 from 12:00 – 1:00 p.m.

**Speaker:** Mark Parthemer

**The CLE will be free and worth 1 credit.**

**Location:** Dial-in information coming soon

**Topic:** New Regs under 707 and 752

**Division:** Fed Tax Division of the Tax Section of the Florida Bar

**Date:** November 15, 2017 from 12:00 – 1:00 p.m.

**Speaker:** Collin Clark

**The CLE will be free and worth 1 credit.**

**Location:** Dial-in information coming soon

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# ANNOUNCEMENTS

## 2018 Tax Moot Court Competition – Judges Needed



2018 National  
Tax Moot Court Competition  
Feb 1 - Feb 3, 2018  
**JUDGES NEEDED**  
The Don CeSar  
3400 Gulf Blvd, St. Pete Beach, FL  
CLE Credit Offered

Contacts:  
Justin Wallace - justin.wallace@hwlaw.com  
Brian Howsare - brian.howsare@us.gt.com

TAX SECTION  
of The Florida Bar

The poster features a dark blue background with white and green text. On the right side, there is a collage of images: a wooden gavel resting on a book titled 'TAX LAW', and an aerial view of the Don CeSar hotel in St. Pete Beach, Florida. The Florida Bar logo is also present.

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The Tax Section has named  
Mitchell I. Horowitz, of Tampa,  
as the

2017-18 Gerald T. Hart Outstanding Tax Attorney of the Year

The award will be formally presented  
at the Tax Section's annual meeting to be held April 19-21, 2018  
at the Ritz Carlton—Sarasota

**PLEASE SAVE THE DATE**

Click on [link](#) for hotel reservations: [Hotel Reservations](#)

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## **Announcing the Tax Section Podcast!**

The Tax Section has launched a Podcast!

Check it out in iTunes or Stitcher at the links below:

iTunes (click while on your iPhone or iPad): <https://itunes.apple.com/us/podcast/the-florida-bar-tax-section-podcast/id1244095897?mt=2>

Stitcher (click in your browser; on Android phones, it may require a free app download):  
<http://www.stitcher.com/podcast/the-florida-bar-tax-section/florida-bar-tax-section>

Please “subscribe” to the podcast to get new episodes each time they are released.

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## **Tax Section Comments on IRS Regulation Projects**

The Tax Section has submitted comments to the Partnership Audit Proposed Regulations. The Tax Section’s comments are posted on our website at: <http://floridatallaxlawyers.org/publications/commentary/>

The Tax Section has members working on comments on the following IRS regulation projects. If you are interested in participating in either comment project contact Brian Harris at [brian.harris@akerman.com](mailto:brian.harris@akerman.com).

(1) **Transfers of Property to Partnerships with Related Foreign Persons.** We are looking at putting together a group and are soliciting volunteers to prepare comments in response to Notice 2015-54, Transfers of Property to Partnerships with Related Foreign Partners and Controlled Transactions Involving Partnerships. Notice 2015-54 is aimed at IP migrations that utilize partnerships. A typical IP migration involves a transfer of IP from a US company to a foreign company. As such, the use of partnerships is the less frequently used approach. Portions of Notice 2015-54 mandate the use of the remedial method under Code Section 704(c) to cause the US contributor to have income, and portions seemingly apply IRC 482 principles in a manner this is possibly inconsistent with the *Veritas* decision and invokes the income allocation rules used by the current cost sharing rules under Treas. Reg. Section 1.482-7. The cost sharing rules require that a significant amount of profits earned by contributed IP be allocated to the contributing cost sharing participant. As such, the application of the cost sharing approach to partnerships may exceed the IRS’s authority. The impact of the Notice 2015-54 may extend to other areas of partnership tax and maybe even estate and gift tax planning.

(2) **FIRPTA Reorganizations.** We are currently looking at the Requested Exclusion of FIRPTA Reorganizations from Corporate Inversion Rules. The principal covered Code Sections are 7874 and 897. Participants include: Jim Barrett, Bob Hudson, Steve Hadjiligiou, Jeff Rubinger, Joe McFarland, James Schmidt, Summer LePree, Ceci Hassan, Bobby Moore, Michael Bruno, Adam Smith, Alfredo Tamayo, Hans Tanzler IV, Shawn Wolf, and Leslie Share. There is no comments deadline and this project is ongoing.

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## **Pro Bono Volunteer Opportunities**

Florida's Low Income Taxpayer Clinics (LITCs) assist low income taxpayers with IRS controversies, including, collections, liability disputes and Tax Court petitions. Studies show that representation significantly increases positive outcomes for low income taxpayers. If interested in representing a low income taxpayer, please directly contact the LTC nearest you (for a complete list of the LITCs in Florida, go to [www.lsgmi.org](http://www.lsgmi.org) and click on Low Income Taxpayer Clinic under Quick Links).

Volunteers needed for the U.S. Tax Court Pro-Bono Calendar Call Program. The Program is designed to have local tax practitioners volunteer their time to pro se taxpayers during calendar call sessions without entering their name as the attorney of record. If you are interested in participating in the Calendar Call Program: For Miami, please contact Karen J. Lapekas at 305-600-1485 or [karen@lapekaslaw.com](mailto:karen@lapekaslaw.com). For Tampa, please contact Mitchell Horowitz at 813-222-1105 or [mitchell.horowitz@bipc.com](mailto:mitchell.horowitz@bipc.com).

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## **Fed Tax and State Tax ListServ's**

The Tax Section has made Listserv's available to members to exchange ideas, opinions, information, and comments in a positive and professional environment. The Tax Section Listserv sign up, how the Tax Section Listserv works and the applicable rules for participants can be found at <http://floridatallaxlawyers.org/listserv/>.

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## Federal Tax Division Information

The Federal Tax Division recognizes the following members for their reports at the Organizational Meeting in Amelia Island: David M. Silberstein and Donna L. Longhouse (*Estate Planning & Exempt Organizations*); Harris L. Bonnette, Jr. (*Tax Controversy & Procedure*); Mauricio Rivero and Alfredo Tamayo (*International*); Natalie Roberts (*Business Organizations and Individuals*); and James Barrett (*Comments*). In addition, a special thanks goes out to the many committee members who contributed to their respective committee's reports.

If you are interested in serving on the committees or subcommittees, please send an email to one of the Co-Directors, James A. Schmidt at [jas@schmidtlawoffice.com](mailto:jas@schmidtlawoffice.com) or Taso Milonas at [tmilonas@wealthlawgroup.com](mailto:tmilonas@wealthlawgroup.com). Indicate whether you are interested in committee membership or a leadership position. The current committee list is as follows:

### International Taxation Committee

- International Tax Out-Bound
- International Tax In-Bound
- International Trusts and Estates

### Taxation of Business Organizations/Individuals Committee

- C-Corporations
- Employee Benefits
- Limited Liability Companies
- Partnerships
- S-Corporations
- Taxation of Individuals
- Specialty Areas

### Estate Planning Committee

- Estate & Gift Taxation
- Tax Exempt Organizations
- Fiduciary Income Taxation

### Tax Controversy and Procedure Committee

- Bankruptcy
- Civil Tax Procedure
- Criminal Tax Procedure
- IRS Collection Activities
- Tax Court Bar Relations

### Tax Comments Committee

The Federal Tax Division will convene again in at the Fall Meeting at the Conrad hotel in Miami on Thursday, October 12<sup>th</sup>. We look forward to hearing from our committee leadership on



developments in the federal tax realm and encourage you to attend and participate.

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## **Sponsors**

The Tax Section thanks the following businesses for supporting Tax Section activities:

### **PLATINUM**

MPI	Roy H. Meyers	<a href="mailto:rmeyers@mpival.com">rmeyers@mpival.com</a>
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### **SILVER**

Business Valuation Analysts	Timothy K. Bronza	<a href="mailto:tbronza@bvanalysts.com">tbronza@bvanalysts.com</a>
MRW Consulting Group, LLP	Luis O. Rivera	<a href="mailto:luis@themrwgroup.com">luis@themrwgroup.com</a>
Coral Gables Trust	John Harris	<a href="mailto:jharris@cgtrust.com">jharris@cgtrust.com</a>
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Kaufman Rossin	Mark Scott	<a href="mailto:mScott@kaufmanrossin.com">mScott@kaufmanrossin.com</a>
Jones Lowry	Mac Lowry	<a href="mailto:bml@joneslowry.com">bml@joneslowry.com</a>

## **Florida Bar Tax Section Bulletin**

Articles for the Florida Bar Tax Section Bulletin are due September 1, 2017. If you were given a slot and have not already submitted your article, please be aware of this deadline. The fall edition of the Florida Bar Tax Section Bulletin is scheduled to be published in October 2017.

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**Questions or comments, please email Chris Hargrett at  
chargrett@flabar.org or visit our website at  
[www.floridatlawyers.org](http://www.floridatlawyers.org)**