Don't Fear the Taxman: The TaxStache Guide to Surviving Audits, Taming Collectors, and Winning Your Case

Blurb

That dreaded envelope just landed in your mailbox. Panic sets in. But what if the IRS isn't a monster — just a maze you can navigate?

“Don't Fear the Taxman” is your map and flashlight, demystifying everything from scary letters and audits to payment plans, appeals, and settling your debt for much less than you thought possible. Learn how the IRS actually works (spoiler: it's more chaotic than you think), how to talk to them without crying, and how to protect your paycheck and your sanity.

Whether you're a first-timer staring at a CP2000 notice or a small business owner who fell behind on payroll taxes, this guide walks you through every step in plain English, with the occasional joke, and absolutely zero legalese.

Stop hiding. Start fighting back. Get your life (and your money) back on track.

Table of Contents

recent years), what documents to have ready so you don't sound like a gibbering mess, the magic phrases that can turn a hostile conversation into a productive one, and the surprisingly useful IRS Online Account that might save you a phone call entirely.

Chapter 3: The "Oops, I Forgot to File" Club For the procrastinators, the overwhelmed, and those who simply let life get in the way. We cover the consequences gently, explain the famous six-year rule (and why it's widely misunderstood), and show why voluntarily walking back into the fold is infinitely better than being dragged back by the ear.

Chapter 4: Audit-geddon: A Survival Guide Demystifying the audit. We stress that you weren't singled out by a shadowy man in a dark room; you were chosen by a piece of software with the personality of a toaster. We break down the three flavors of audit—Mail, Office, and Field—and how to prepare for each without building a doomsday bunker in your basement.

Chapter 5: Making Your Case: The Art of the Audit Appeal The audit didn't go well. Now what? We introduce the Appeals division, the one place in the entire IRS where you might find a person whose entire job is to be reasonable. This is your best shot at a fair deal, and we explain how to take it.

Chapter 6: Taking It to the Judge (Without a Fancy Lawyer) Welcome to Tax Court's "small case" division, the People's Court of the tax world. We explain how a regular person can file a petition and why the very act of doing so gets the vast majority of cases settled long before you have to stand up and say "Your Honor."

Chapter 7: "I Can't Pay!" — How to Tame an IRS Collector The chapter for everyone whose financial situation looks less like a spreadsheet and more like a Dalí painting. We walk them through getting an Installment Agreement, explain the streamlined programs for debts under $50,000 (now with even more flexible terms), and show how to fill out those dreadful financial statements without having a full-blown existential crisis.

Chapter 8: The Art of the Deal: Offers in Compromise For when the debt is truly overwhelming, the IRS has a program that lets you settle for less than you owe. We explain what an Offer in Compromise actually is, who realistically qualifies, how to avoid the scams, and why this powerful tool is both harder and easier to get than you've been told.

Chapter 9: Liens, Levies, and Other Scary Words Time to translate the jargon. A lien is just a public declaration that the IRS has "dibs" on your property. A levy is when they actually show up to collect on those dibs. We provide practical, legal ways to protect paychecks and bank accounts from their grasp.

Chapter 10: The Underdog's Secret Weapon: The Taxpayer Advocate Introducing the "get out of jail free" card of the IRS system. We explain what the Taxpayer Advocate Service is, when they can help (especially in emergencies), and how to get them on your side. It's the IRS's own internal affairs division, but for helping you.

Chapter 11: For the Self-Employed & Small Biz Warriors A special chapter for the entrepreneurs, the freelancers, the gig workers—the glorious people most likely to get themselves into a tax pickle. We focus on the two cardinal sins (misclassifying employees and falling behind on payroll taxes), plus the new tax breaks that landed in 2025 for tipped and overtime workers.

Chapter 12: Let's Talk About Penalties (and How to Get Rid of Them) Penalties can feel like insult added to injury. Here, we break them down and focus heavily on the single most valuable piece of information for first-time offenders: the First-Time Penalty Abatement. It's magic.

Chapter 13: Know Your Rights (And What Just Changed) The Taxpayer Bill of Rights isn't a suggestion—it's a set of ten fundamental protections every American has when dealing with the IRS. We unpack them in plain English and cover the biggest tax law changes from the One Big Beautiful Bill Act that affect real people filing real returns.

Conclusion: You've Got This. (And When You Don't, You've Got Us.) Our final, empowering pat on the back. We recap the core message—this is manageable—and provide a smooth, friendly, no-pressure transition to the call to action for TaxStache and TaxQuotes.

Appendix: A Glossary of Gibberish (Your Guide to Speaking "IRS-ese") A humorous but accurate dictionary to translate the government's most baffling terms into plain English.

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Introduction: So, You Got That Letter...

There are few objects in modern life capable of inducing such a swift and total state of dread as a plain, business-sized envelope with the words "Internal Revenue Service" printed in the corner.

It doesn't arrive with a thunderclap or a puff of smoke. It just lies there, mixed in with pizza coupons and a letter from your aunt, possessing a faintly threatening heft that seems to suck the very oxygen from the room. It has the power to turn a perfectly good Tuesday into a festival of cold sweats and frantic Googling. Your heart does a little tap dance against your ribs, and your mind immediately leaps to the worst possible conclusion, which usually involves a federal prison and a roommate named Spike.

Now, the first thing you must know is this: **you are not special.**

We say that with the greatest affection. This gut-lurching moment of panic is one of America's great unifying experiences. Nearly everyone, at some point in their tax-paying life, will have a run-in with the taxman. It is an unfortunate rite of passage, like getting your first speeding ticket or realizing you can no longer eat an entire pizza by yourself without profound regret. You have been initiated into a very large, very reluctant club.

Why Is This So Terrifying?

The reason for this dread isn't that the IRS is staffed by fire-breathing dragons (though we're sure some days it feels that way). The problem is that the system they operate is a labyrinth of such staggering complexity that it makes you wonder if it was designed by a feuding committee with a grudge against clarity. The tax code itself is a behemoth of over 6,000 pages, and that's before you get to the additional hundred-thousand-or-so pages of regulations and court decisions that explain what the first 6,000 pages actually mean.

On top of that complexity, the IRS itself has been through the wringer in recent years. Budget cuts, staffing reductions, and political upheaval have left the agency running on what can charitably be described as a skeleton crew. In 2025 alone, the IRS lost roughly a quarter of its workforce. They have fewer auditors now than at any point since World War II. Their phone lines are longer, their processing times are slower, and their ability to answer your questions has been stretched thinner than a budget motel bedsheet.

This is, paradoxically, both good news and bad news for you. The good news is that the IRS has less bandwidth to come after people, which means audit rates have dropped and the agency is, frankly, more willing to work with you on payment plans and settlements because they don't have the manpower for a fight. The bad news is that when you *do* need to reach them—to fix a mistake, respond to a notice, or set up a payment plan—getting a human being on the phone can feel like trying to hail a cab in a monsoon.

Why You Cannot Ignore It

Here is the thing about that envelope. Ignoring the beast in the hopes it will get bored and wander off is, we are sorry to report, a terrible strategy. The IRS machinery may move slowly (even more slowly now) but it does move. Penalties and interest pile up with the quiet, relentless persistence of compound interest (which is, in fact, exactly what they are). Letters escalate. A polite notice becomes a firm notice, which becomes a final notice, which becomes a real-life Revenue Officer assigned to your case. In extreme situations, they can even prevent you from renewing your passport.

The machine doesn't forget. It just takes its time.

What This Guide Is For

And that, right there, is why this guide is in your hands. You feel like you've been dropped in the middle of a dark forest without a compass. This guide is your map and your flashlight.

The map will show you the terrain: how the IRS is organized, the procedures it must follow, and the deadlines that matter. It will help you understand which IRS animal you're dealing with (yes, we have a whole chapter on the IRS zoo) and what the rules of each encounter are. It will walk you through audits, appeals, payment plans, and even Tax Court—which, despite its terrifying name, is actually designed for regular people and costs sixty bucks to access.

The flashlight will illuminate the dark corners, showing you that the scary monster you imagined is often just a poorly understood form or a bureaucratic mix-up. It will light up the path ahead, revealing your rights under the Taxpayer Bill of Rights, the secret weapon that is the First-Time Penalty Abatement, and the existence of an entire office inside the IRS whose sole job is to fight the IRS on your behalf.

(We promise we're not making that up.)

We'll also cover the big changes in tax law that arrived in 2025 with the One Big Beautiful Bill Act, the largest tax legislation since 2017, including new deductions for tipped and overtime workers, a bigger standard deduction, and changes that affect self-employed people and small business owners. If you're filing a return for 2025 or later, you need to know about these.

What This Guide Is Not

This is not a tax preparation manual. We're not going to teach you how to fill out a 1040 or explain the finer points of depreciation schedules. There are plenty of books and software for that. This guide is specifically for the moment *after* things have gone sideways—when the IRS is already in your life and you need to know how to handle it.

It is also not legal advice. We'll tell you that a lot, because it's important, and because our lawyers would like us to keep our jobs. What it *is* is a practical, readable, occasionally funny guide to understanding how the system works so you can navigate it with confidence instead of dread.

How to Use This Book

You don't have to read this cover to cover, though you certainly can. Each chapter is designed to stand on its own, so you can flip directly to the one that matches your situation:

- **Got a letter you don't understand?** Start with Chapter 1 to figure out who sent it and what they want.
- **Need to call the IRS and are dreading it?** Chapter 2 is your pre-flight checklist.
- **Haven't filed in a few years?** Chapter 3 will talk you off the ledge.
- **Being audited?** Chapter 4 is your survival guide.
- **Can't pay what you owe?** Chapters 7 and 8 cover payment plans and settling for less.
- **Feeling totally overwhelmed?** Chapter 10 introduces you to the one office inside the IRS that's actually on your side.

You don't have to be a tax expert to successfully deal with the IRS. You just have to understand how the game is played. You have to know your rights, know the rules, and know where to turn.

So take a deep breath. Make a cup of coffee. That envelope isn't the end of the world; it's just the start of a process. And you now have a guide to see you through it.

Turn the page. We've got this.

Chapter 1: Who Are These People Anyway? A Peek Inside the IRS

The Internal Revenue Service is not a single, all-knowing supervillain stroking a fluffy white cat in a volcano lair. It is not Dr. Evil, it is not Big Brother, and it is certainly not a finely tuned machine of ruthless efficiency.

The reality is somehow both more baffling and, in a strange way, more comforting. The IRS is a sprawling, underfunded, increasingly understaffed megabureaucracy. Think less of a sinister monolith and more of a vast, peculiar zoo. It's a collection of thousands of people working in separate enclosures, each with their own specific job, and most of them have absolutely no idea what the folks in the next enclosure are doing. Understanding this is the first step to taking away their psychological advantage. The whole operation is less terrifying when you realize you're not fighting a mythical beast; you're just navigating a very, very large and confusing zoo.

Their world is governed by the Internal Revenue Code, a document so dense it has its own gravitational pull. When you add in all the regulations, rulings, manuals, and court decisions, you're looking at well over a million pages of tax law. This isn't a rulebook; it's a library. And then Congress goes and adds a few hundred more pages every time it passes a major bill, like the One Big Beautiful Bill Act in 2025, which made some of the biggest changes to the tax code since 2017. The people working at the IRS have to learn and implement all of it, often with outdated computers and contradictory instructions.

To make matters more chaotic, the zoo has been through a staffing earthquake. The IRS has been losing employees for years due to budget cuts, but 2025 accelerated the trend dramatically. Through a combination of hiring freezes, buyout offers, and layoffs driven by the Department of Government Efficiency (DOGE), the agency lost roughly a quarter of its workforce in a single year. The IRS today has fewer auditors than at any time since World War II. Let that sink in: the country has added about 200 million people since the 1940s, the tax code has grown exponentially more complex, and the agency responsible for administering it has *fewer* people doing the work.

Their technology is often laughably outdated—some core systems still run on programming languages from the Kennedy administration—and they rely heavily on automated systems to handle their immense workload. Modernization efforts that were supposed to drag the IRS into the 21st century have been repeatedly started, underfunded, and stalled.

So, when that letter arrives, you're not getting a personal threat from the king of the jungle. You're getting a mostly automated piece of paper spit out by a creaky machine in a zoo that's doing its best to keep the lights on with half the staff it had a few years ago.

Now, with that in mind, let's take a tour. Here is your field guide to the most common species you might encounter.

The Worker Ants: Campus Employees & ACS Collectors

The first creature you're likely to encounter is the humble Campus Employee. The IRS has several massive "campuses"—enormous processing centers scattered across the country that are the ant farms of the organization. They process hundreds of millions of tax returns and mail out billions of notices every year. Many of these workers are temporary and trained to do one specific, repetitive task. They are not tax experts; they are data processors following a checklist.

When your problem involves a bill you haven't paid, your first interaction will likely be with their cousin, the Automated Collection System (ACS) Collector. This is a voice on the phone, working in a giant call center, following a computer script. The key thing to remember about ACS collectors is that they are chained to their script. They can see your account on a screen, but their ability to deviate from protocol is limited.

Here's a useful trick: if you don't like the answer you're getting from an ACS collector, you can politely thank them, hang up, and call again a little later. You'll get a different worker ant who might be working from a slightly different branch of the script, or who might simply interpret the situation with a bit more flexibility. This is not a guarantee, but it works more often than you'd expect.

In recent years, the IRS has also started using Private Collection Agencies (PCAs) to collect certain older, smaller debts. If you get a call from a company like CBE Group, ConServe, or Coast Professional, they may actually be calling on behalf of the IRS. The IRS will always send you a written notice before your account is transferred to a PCA. If you get a call out of the blue from someone claiming to be collecting taxes and you haven't received that notice, it's almost certainly a scam.

The Wily Coyote: The Revenue Officer

If your tax debt is large, or if the worker ants at ACS fail to get your attention over a period of months or years, your case may be assigned to a Revenue Officer (RO). An RO is the IRS's local field collector. They are seasoned, persistent, and, unlike the ACS agents, they are not following a simple script. They are working a case. *Your* case.

Revenue Officers have real power. They can file liens, issue levies on your bank accounts and wages, and they will make unannounced visits to your home or business. When an RO shows up at your door, they are trained to be polite, conversational, and disarming. They want to gain your trust, get you talking, and have you lay your entire financial life bare before you've had a chance to think about what you're saying.

A word of caution. Do not mistake a Revenue Officer's friendly demeanor for friendliness. They are professionally friendly. Their job is to collect money, and they are very good at it. If an RO contacts you, it is time to seriously consider getting a tax professional in your corner—an Enrolled Agent, CPA, or tax attorney who can communicate with the RO on your behalf and make sure you don't accidentally say something that hurts your case.

That said, Revenue Officers are also human beings doing a difficult job, and most of them are reasonable. If you are cooperative, organized, and honest about your financial situation, you can often work out a resolution. They've seen it all—the guy who hid money in a mattress, the woman who forgot about a rental property for six years, the small business owner who fell behind during a family crisis. You are not going to shock them. What you *will* do by being prepared and straightforward is earn their respect, and that goes a long way.

One more thing worth knowing: there are significantly fewer Revenue Officers working cases now than there were even a few years ago. The staffing cuts have hit the field collection ranks hard. This means two things. First, it may take longer for your case to be assigned to an RO, which gives you more time to get your affairs in order. Second, once an RO *is* assigned, they're juggling more cases than ever, which means they may be more motivated to close your case through a reasonable agreement rather than fight you tooth and nail.

The Meticulous Meerkat: The Auditor

People often confuse Revenue Officers with Auditors, but they are very different species with very different jobs. An RO wants money. An Auditor is looking for mistakes.

An Auditor (officially called a Revenue Agent for the more complex cases) is the IRS's fact-checker. Their job is not to collect what you owe; it's to determine whether what you reported on your return is accurate. They are meticulous, detail-oriented, and trained to spot inconsistencies. They are the person who notices that you claimed $14,000 in business meals but reported total revenue of $40,000 and thinks, "Hmm, that's a lot of lunches."

Revenue Agents use incredibly detailed "Audit Technique Guides" that focus on specific industries, so they know exactly where people in your profession are likely to fudge the numbers. There are guides for everything from attorneys to veterinarians, from construction workers to cannabis dispensaries. If your profession exists, there's probably an ATG for it, and it's publicly available on the IRS website.

(We'll come back to this in Chapter 4, because reading the enemy's playbook before the game is one of the smartest things you can do.)

Here's the silver lining on the auditor front: audit rates have dropped significantly. With the loss of nearly a third of its revenue agents in 2025, the IRS simply doesn't have the staff to audit at the rates it once did. The odds of an individual being audited are now well under 1% for most income levels. That doesn't mean you should play fast and loose on your return (the consequences of getting caught are still severe) but it does mean that the audit monster is statistically smaller than it used to be.

The Apex Predator: The Special Agent

You will probably never see this animal. Pray you never do.

A Special Agent is the silent, top-of-the-food-chain predator of the IRS zoo. These are the federal law enforcement officers of the IRS's Criminal Investigation Division, known as CI. They carry guns. They have badges. They travel in pairs. Their one and only job is to put people who commit tax fraud in prison.

Special Agents are not interested in honest mistakes, sloppy math, or forgotten 1099s. They investigate intentional, willful fraud—money laundering, tax evasion, unreported offshore accounts, and criminal enterprises. CI has one of the highest conviction rates of any federal law enforcement agency, north of 90%. When they bring a case, they've usually been building it for months or years before you know they exist.

If you are ever visited by two people who identify themselves as Special Agents and they read you your Miranda rights, the game has changed completely. This is not the time for clever explanations or attempts to cooperate your way out of it. Stop talking. Say nothing. Call a qualified criminal tax attorney immediately. Not a CPA, not an Enrolled Agent—a *criminal tax defense attorney*. This is the one situation in this entire guide where we will tell you, without hesitation, that you need a lawyer.

For the vast, overwhelming majority of readers, this paragraph is purely academic. But it's worth knowing the difference between someone who wants your money and someone who wants your freedom. An RO wants your money. A Special Agent wants your freedom. The distinction matters.

The Friendly Zookeeper: The Taxpayer Advocate

After all that, you might think this zoo is a hopeless place. But there is one last inhabitant you need to know about, and it might be the most important one in the whole park: the friendly zookeeper.

The Taxpayer Advocate Service (TAS) is an independent organization *within* the IRS whose sole purpose is to be your voice when the system breaks down. They are established by Congress, funded by the IRS's budget, and tasked with helping taxpayers who are stuck in bureaucratic quicksand or facing genuine hardship because of an IRS action.

Think of TAS as the IRS's own internal affairs division, but with a wonderful twist: they investigate the IRS to help *you*. If the IRS has botched your case, ignored your calls, or taken an action that's about to leave you unable to pay your rent, the Taxpayer

Advocate can step in, pick up the phone, and make things happen. In a true emergency, they can even issue a Taxpayer Assistance Order (the bureaucratic equivalent of a referee throwing a penalty flag) that can force the IRS to stop a levy or take a specific action to relieve your hardship.

We'll devote an entire chapter to the Taxpayer Advocate later (Chapter 10), because they're that important. For now, just know they exist, they're free, and their phone number, (877) 777-4778, is the single most powerful phone number a taxpayer in trouble can possess.

The Automated Overlord: The Computer

We'd be doing you a disservice if we didn't mention one more "inhabitant" of the zoo, even though it isn't technically alive. A vast amount of the IRS's work is now done by computers, and understanding this is critical.

The IRS's computer systems are responsible for matching the income reported on your tax return against the income reported to the IRS by your employers, banks, and other payers. If you earned $5,000 in freelance income and a company sent a 1099 to the IRS saying they paid you $5,000, but that $5,000 doesn't show up on your return, a computer will catch it. Not a person sitting in a room squinting at your return—a computer, running a matching program.

These automated systems also generate the majority of IRS notices. That scary letter you got? There's a very good chance no human being was involved in creating it. A computer noticed a discrepancy, generated a notice, and mailed it to you. This is important to understand because it means the letter is not a judgment call by a person who looked at your specific situation and decided you were a tax cheat. It's a form letter triggered by a data mismatch.

The IRS's main audit-selection tool is a program called the Discriminant Function System, or DIF. It gives every return a secret score based on how likely it is to produce additional tax if audited. Nobody outside the IRS knows the exact formula, but we know it looks for outliers—returns where the numbers are significantly different from what's typical for people in your income bracket and profession. We'll get deep into this in Chapter 4.

The upshot is that much of your interaction with the IRS, especially in the early stages, is with a machine. And machines don't negotiate, don't care about your circumstances, and don't make exceptions. But they also don't hold grudges. They just follow the code. Once you get past the machine and reach a human being—whether that's an ACS collector, a Revenue Officer, or an Appeals Officer—you enter a world where context matters, discretion exists, and reasonable outcomes are possible.

The IRS Isn't a Monster

So there you have it. The IRS isn't one big monster. It's a complex ecosystem of ants, coyotes, meerkats, and the occasional panther, all watched over by a helpful zookeeper, and increasingly managed by a fleet of aging computers held together with duct tape and good intentions.

The key is to identify which animal you're dealing with. Once you know that, you know the rules of the encounter, and you're already halfway to walking out of the zoo unscathed.

Here's a quick cheat sheet:

- **Got a notice or bill in the mail?** You're dealing with the Worker Ants (Campus/ACS). Stay calm, gather your documents, and call the number on the letter.
- **Someone showed up at your door or business?** That's a Revenue Officer (the Coyote). Be polite, don't volunteer information, and strongly consider getting professional help.
- **Received a letter saying your return is being examined?** You've met the Auditor (the Meerkat). Don't panic—read Chapter 4.
- **Two people with badges and guns?** That's Criminal Investigation (the Apex Predator). Say nothing. Call a criminal tax attorney immediately.
- **Stuck in a bureaucratic nightmare with no way out?** Call the Taxpayer Advocate (the Zookeeper) at 877-777-4778.

The IRS is big, slow, underfunded, and running on a skeleton crew. That's not a reason to ignore them. Their machinery will eventually catch up. But it *is* a reason to stop being terrified and start being strategic.

You now know who they are. In the next chapter, we'll teach you how to talk to them.

Chapter 2: How to Talk to the IRS Without Crying (A Practical Guide to Online Accounts, Phone Calls, and Hold Music)

Before we dive into the murky depths of audits, liens, and payment plans, we must first master the art of communication. Specifically, we must learn how to use the telephone to speak with the IRS, an act that requires the patience of a saint, the preparedness of a Boy Scout, and the emotional fortitude of a bomb disposal expert.

We must also learn when *not* to pick up the phone at all—because in recent years, the IRS has quietly built some online tools that can save you hours of hold music and a significant amount of emotional wear and tear.

Think of this chapter as your basic training. Everything that follows in this guide will be ten times easier if you learn how to handle communication with the IRS without breaking into a cold sweat.

Part 1: The Digital Shortcut (Your IRS Online Account)

Before you pick up the phone, there is something you should know about: the IRS Online Account. It's free, it's available at IRS.gov, and it can answer a surprising number of questions without you ever having to listen to a single bar of hold music.

We lead with this because most people don't know it exists, and for many common situations, it's faster and more reliable than calling. Here's what you can do with it:

- **See your balance.** If you got a notice saying you owe money and you're not sure if it's right, your Online Account will show you exactly what the IRS thinks you owe, broken down by tax year, including penalties and interest.
- **View your payment history.** Every payment you've made to the IRS is logged here. If there's a dispute about whether you paid, this is your first stop.
- **Access your notices.** Many (though not all) IRS notices are now available digitally. You can see what they sent you and when.
- **Make a payment.** You can pay directly from your bank account, and there's no fee for doing so.
- **Set up a payment plan.** If you owe $50,000 or less, you can often set up an Installment Agreement entirely online in about 30 minutes, without talking to a single human being. We'll cover this in detail in Chapter 7.
- **Download tax transcripts.** Need a copy of a past return or a record of what income the IRS has on file for you? You can pull transcripts instantly.
- **Check your Economic Impact Payments and Advance Child Tax Credits.** Useful for making sure you got what you were owed.

To set up an account, you'll need to verify your identity through ID.me, which involves uploading a photo ID and, in some cases, doing a brief video call. It can be a mild hassle the first time, but once you're in, you're in.

The IRS has also expanded the use of video conferencing for certain interactions. If you're dealing with a Taxpayer Assistance Center or working through an audit or collection issue, you may be offered the option to meet by video instead of in person. It's not available for everything, but it's worth asking about.

Now, with the digital options covered, let's prepare for the situations where only a phone call will do.

Part 2: Preparing for the Expedition

You would not attempt to climb Mount Everest in flip-flops, and you should not attempt to call the IRS without similar preparation. Success is 90% preparation and 10% actually talking.

The Zen of Embracing the Void

First, a reality check: calling the IRS has always been a test of human patience. In recent years, it has become even more so. The staffing reductions we talked about in Chapter 1 have hit the phone lines hard. Wait times that were once measured in minutes are now often measured in hours, and it is not uncommon to be disconnected after a long wait with no explanation and no callback.

You must accept this reality before you dial. Resistance is futile; acceptance is power.

Here's how to prepare for the wait:

Time Your Attack. The worst times to call are Mondays and Fridays. Monday is when everyone who spent the weekend stewing about their tax problem decides to act. Friday is when people panic before the weekend. Your best bet is mid-week—Tuesday, Wednesday, or Thursday—either right when they open or during the mid-day lunch hour when call volume tends to dip. Early morning, as close to opening time as possible, is generally your best shot at a shorter wait.

Build Your Nest. Do not make this call while driving, walking the dog, or standing in line at the grocery store. Set aside a generous block of time—we're talking two to three hours minimum, just to be safe—and settle into a comfortable chair. Gather supplies: a beverage, snacks, a book, something to do with your hands. Put your phone on speaker so you can live your life while the hold music plays. You are settling in for a siege, and comfort is a tactical advantage.

Use the Right Number. For general individual tax issues, the main line is **800-829-1040**. For business tax issues, it's **800-829-4933**. But here's the important part: if your letter or notice has a specific phone number printed on it, *always use that number first*. It will route you to the department that's actually handling your case, which can save you from being bounced around the general queue.

A few other useful numbers worth knowing:

- **800-829-4059** — TDD/TTY for hearing impaired
- **800-829-3676** — To order forms and publications
- **877-777-4778** — The Taxpayer Advocate Service (your emergency line, covered in Chapter 10)

Your Battle Station: The Pre-Flight Checklist

The number one cause of a disastrous IRS phone call is fumbling for information while the agent waits and silently judges you. (They won't actually judge you. But it'll feel that way.) Before you dial, lay out the following on your desk like a surgeon preparing for an operation:

The IRS Letter or Notice. Have the actual piece of paper you received in front of you. It contains vital information: a notice number (usually in the upper right corner), a date, and often a specific code that tells the agent exactly what issue they're dealing with. Without this, you're asking the agent to play detective, and they don't have time for that.

Your Identifying Information. Your full legal name, Social Security number (or Employer Identification Number for business issues), date of birth, and current address. If you're calling about a joint return, have your spouse's information handy too.

The Tax Return in Question. If the issue is about your 2025 tax return, have a copy of it in front of you. If you filed electronically and don't have a printed copy, pull it up on your computer or download a transcript from your Online Account before you call.

A Pen and a Notepad. This is not optional. You will take notes as if your financial future depends on it, because it very well might. Write down the name, ID number, and badge number of every person you speak with, along with the date and time of the call. If there's ever a dispute about what was said, these notes are your evidence.

For Collection Calls: The Full Financial Picture. If you're calling to discuss a balance you owe and you want to work out a payment arrangement, you need a snapshot of your entire financial life. Have a rough idea of your monthly income (from all sources), your assets (approximate value of your home, car, bank account balances, retirement accounts), and your monthly expenses (rent or mortgage, utilities, food, transportation, insurance, medical costs, child care). You don't need exact numbers for the first call, but being in the right ballpark transforms you from a gibbering mess into an organized, credible person they can actually work with.

Having all of this ready doesn't just save time, it signals to the agent that you're someone who takes this seriously. That matters more than you think.

Part 3: The Art of Polite Conversation

You've prepared. You've dialed. You've survived the hold music. A human being has answered. Now what?

Rule #1: The Scribe's Duty

The very first thing you do—before you explain your problem, before you answer any questions—is ask for the agent's name and employee ID number. Write it down, along with the date and time of the call. This is non-negotiable. Every single time. It establishes accountability, creates a record, and subtly signals that you are paying attention.

Rule #2: The Strategic Retreat

If the IRS calls *you* unexpectedly, do not engage on the spot. This is one of the most important pieces of advice in this entire guide.

Politely say: "Thank you for calling. Now isn't a good time for me to discuss this. Can I get your name and direct number so I can call you back?"

Then hang up, take a breath, and prepare yourself using the checklist above before returning the call. An unprepared conversation is a losing conversation. You are under no obligation to discuss your tax situation on someone else's timeline. (And frankly, if someone calls you claiming to be from the IRS and pressures you to act immediately, threatens arrest, or demands payment by gift card, it's a scam. The real IRS initiates most contact by mail, not by phone, and they will never demand gift cards or cryptocurrency.)

Rule #3: The Honey Offensive

The agent on the phone deals with angry, panicked, sometimes abusive people all day long. They are underpaid, overworked, and handling more cases than ever due to staffing cuts. Being polite, calm, and respectful will set you apart immediately. It isn't just good manners—it's a strategic advantage.

A kind word, a patient tone, and a simple "I appreciate your help with this" can transform the dynamic of the call. You're not groveling; you're being a decent human being, and it makes the agent more willing to go the extra mile for you.

If, on the other hand, you get an agent who is unhelpful, dismissive, or seems to be giving you incorrect information, do not argue. Calmly say: "I'd like to speak with your supervisor, please." This is your right, and escalating to a more experienced employee often gets you a better outcome. If you can't get a supervisor, thank the agent, hang up, and call back to get a different person. Remember the worker ant trick from Chapter 1.

Rule #4: The Sacred Words

If you are calling about a bill that you believe is incorrect—maybe the amount is wrong, or the IRS applied a payment to the wrong year, or you never received the income they say you received—you need to speak a specific phrase. Say these words clearly:

"This bill doesn't look right, and I am disputing the amount."

This matters because stating that you are disputing the bill should trigger a legal obligation for the agent to pause collection activity while the accuracy of the bill is verified. It's not a magic incantation that makes the debt disappear, but it puts the brakes on the collection process while things get sorted out.

Rule #5: The Art of the Ask

You have more power to request things than you think. Most people call the IRS in a defensive crouch, bracing for bad news. But the tax code and the IRS's own internal procedures give you options that the IRS won't always volunteer. You have to ask.

Here are some things you can request:

- **Need breathing room?** Ask for a "short-term hold on your account." This can often buy you 30 to 60 days where collection activity pauses while you get organized.
- **Can't pay it all right now?** Ask about a "short-term payment extension." You may be able to get up to 180 days to pay in full without setting up a formal installment agreement—and there's no setup fee.
- **Need more time than that?** Ask about an "Installment Agreement." This is a formal monthly payment plan. If you owe $50,000 or less and can pay within the time remaining on the collection statute (up to 10 years), you can often get one without providing a detailed financial statement.
- **Can't afford to pay anything at all?** Ask about "Currently Not Collectible" status. If the IRS determines you genuinely can't afford to pay, they can temporarily shelve your case. We cover this in detail in Chapter 7.
- **Think a penalty is unfair?** Ask for a "First-Time Penalty Abatement." If you've had a clean compliance history for the past three years, the IRS will often wipe a penalty clean. This is the single most valuable phone call you may ever make, and we devote a whole section to it in Chapter 12.

The worst they can say is no. And even then, you've planted a flag that you know your options.

Part 4: The Escape Hatches

Sometimes, despite your best efforts, you get stuck. The agent can't help you. The supervisor isn't available. You've called three times and gotten three different answers. The system has failed you. It's time to pull the emergency cord.

Escape Hatch #1: The Supervisor

As mentioned above, your first move when you're hitting a wall is to ask for a manager. This is your right, and it often gets you a more experienced employee who has more authority to resolve your issue. Be polite but firm. "I appreciate your help, but I'd like to speak with your supervisor about this" is all you need to say.

Escape Hatch #2: The "Time Out"

You have the Right to Retain Representation. This is one of your fundamental rights under the Taxpayer Bill of Rights, and it's powerful. If at any point during a phone call you feel like you're in over your head—if the agent is asking questions you don't know how to answer, if the conversation has shifted to territory that makes you nervous, if you're being asked to agree to something you don't fully understand—you can stop the conversation cold.

Say: **"I'd like to stop this call now so I can consult with a tax professional."**

The IRS must respect this. Full stop. You are not being difficult; you are exercising a legal right. The call ends, you go find an Enrolled Agent, CPA, or tax attorney, and you come back to the conversation with backup.

Escape Hatch #3: The Cavalry

If you are facing a significant financial hardship, or if you've been trying to resolve your problem for months and gotten nothing but the runaround, it is time to call your friendly zookeeper. Contact the **Taxpayer Advocate Service (TAS)** at **877-777-4778**.

Explain your situation calmly and clearly. Tell them what you've tried, how long you've been trying, and what hardship you're facing. If they accept your case, you'll be assigned a single advocate who will be your point of contact from start to finish. They have the authority to cut through red tape, escalate your case, and in emergencies, order the IRS to stop a collection action that's causing you harm.

TAS is your ultimate trump card when the system has broken down. We'll cover them in full in Chapter 10.

Escape Hatch #4: The Written Record

Sometimes the phone just isn't working. You've been on hold for two hours three times in a row. You keep getting disconnected. Nobody seems to have the authority to help.

When the phone fails, write a letter. Yes, an actual letter, on actual paper, sent through the actual United States Postal Service.

(We know. It feels very 1997. But the IRS is a deeply paper-based organization, and a well-written letter sent by certified mail creates an undeniable record.)

Your letter should include:

- Your name, address, and Social Security number (or EIN)
- The tax year(s) in question
- The notice number, if applicable
- A clear, concise explanation of your issue or disagreement
- Copies (never originals) of any supporting documents
- A specific request: what you want the IRS to do

Send it by **certified mail with return receipt requested**. This gives you proof that the IRS received your letter and the date they received it. Deadlines matter enormously in tax disputes, and "I mailed it but they never got it" is not a defense that will serve you well.

Keep a copy of everything you send. Every letter, every form, every scrap of paper. Create a folder—physical, digital, or both—dedicated to your IRS issue. If you end up in an appeal or a payment negotiation down the line, this file is your armor.

Part 5: Recognizing the Scam

We'd be remiss if we didn't address this, because IRS impersonation scams are rampant and they prey on exactly the kind of fear this book is designed to help you manage.

The real IRS will **never**:

- Call you and demand immediate payment by gift card, prepaid debit card, or cryptocurrency.
- Threaten to send the police or immigration officers to arrest you.

- Call you without first sending a notice by mail.
- Demand that you pay without giving you the opportunity to question or appeal the amount.
- Ask for credit or debit card numbers over the phone for an initial contact.

If someone calls you, texts you, or emails you claiming to be from the IRS and any of the above happens, hang up. It's a scam. Report it to the Treasury Inspector General for Tax Administration at **800-366-4484** or at IRS.gov.

The real IRS is slow, bureaucratic, and frustrating. But they follow procedures. A caller who skips the procedures and goes straight to threats is not the IRS.

You're Ready!

That's it. You are now trained in the art of IRS communication. You know about the Online Account that can save you a phone call. You know how to prepare for the calls you can't avoid. You know the magic words, the escape hatches, and the red flags of a scam.

By being prepared, polite, and knowledgeable, you change the entire dynamic of the conversation. You are no longer the panicked person who owes them money; you are the informed person who knows their rights. And that, more than anything else, is what turns a terrifying phone call into a productive one.

Chapter 3: The "Oops, I Forgot to File" Club

Welcome to the club. Membership is free, and the only requirement for entry is a lingering sense of dread every time you hear the word "taxes."

If you're reading this chapter, chances are you've missed filing a tax return. Or two. Maybe five. Maybe you went through a divorce, a serious illness, or a job loss, and tax returns were the absolute last thing on your mind. Maybe you moved, or went through a period of depression, or got overwhelmed by a life that just kept piling things on. Or maybe (and we say this with zero judgment) you simply forgot, and then the forgetting turned into avoidance, and the avoidance turned into a low-grade anxiety that has been quietly eating you alive for years.

Whatever the reason, take a deep breath. You are not alone, and you are not doomed. This is one of the most common problems people have with the IRS. It is also, we are happy to report, one of the most fixable. The key is to stop hiding and come out into the daylight. It is infinitely better to walk back into the fold voluntarily than it is to be dragged back by the ear.

So, What's the Big Deal, Anyway?

Before we map out the path back, let's address the big, hairy monster in the room. What actually happens when you don't file?

Going to jail is the number one fear. Let's get that out of the way first. For the vast, overwhelming majority of non-filers, criminal prosecution is fantastically unlikely. The IRS's Criminal Investigation Division has limited resources (even more limited now than a few years ago) and they reserve their firepower for people who are actively, willfully, and often spectacularly evading taxes. The person who fell behind because life got complicated is not the person they're building a case against.

The real punishment for not filing isn't criminal. It's financial. And it is death by a thousand paper cuts.

The Penalty Pile-On

The IRS has two main financial weapons it deploys against non-filers, and understanding the difference between them is crucial.

The Failure to File Penalty is the big one. It's a whopping 5% of your unpaid tax bill for every month (or partial month) your return is late, up to a maximum of 25% of the tax owed. If you're six months late, you've already hit the ceiling. This penalty is aggressive by design—the IRS really, really wants you to file.

The Failure to Pay Penalty is its quieter, smaller cousin. It's 0.5% of your unpaid tax per month, also capped at 25%, but it takes much longer to get there.

Now, notice the math: the penalty for not *filing* is ten times worse than the penalty for not *paying*. This is the single most important thing to understand in this chapter, and we will repeat it until it's burned into your brain. Filing a return without a payment is dramatically less expensive than not filing at all. We'll come back to this.

The Interest Gremlin

On top of the penalties, the IRS charges interest on everything you owe—the original tax, *and* the penalties themselves. This interest is compounded daily. Not monthly. Not annually. *Daily.* As of early 2026, the individual underpayment rate is 7%, but because of the daily compounding, the effective rate is higher than it looks on paper.

Think of interest as a ravenous little gremlin that lives in your tax account, feeding on your balance and growing bigger every single day. The longer you wait, the fatter it gets. Unlike penalties, which can sometimes be reduced or eliminated (more on that in

Chapter 12), interest is almost impossible to get rid of. By law, it must be charged. The only way to stop the gremlin is to pay the balance.

The IRS Does Your Homework for You (And Gives You an F)

Here is where things get genuinely unpleasant. If you don't file and the IRS gets tired of waiting, they will eventually file a return *for* you. This is called a Substitute for Return, or SFR.

An SFR is the worst possible version of your tax return. The IRS takes all the income information it has on file—your W-2s, your 1099s, everything that employers, banks, and clients reported—and adds it all up. Then, instead of giving you any of the deductions, credits, or exemptions you might be entitled to, they give you... nothing. They use the filing status that produces the highest tax (usually single with no dependents, even if you're married with three kids), they ignore your business expenses, they skip the Earned Income Tax Credit, and they calculate the largest possible tax bill.

Then they start collection action on that inflated number.

An SFR is not a favor. It is a punishment dressed up as paperwork. And the only way to fix it is to file your own return, which will replace the SFR with the real numbers. We've seen cases where people owed tens of thousands of dollars according to the SFR, but once they filed their actual return with their real deductions and credits, the balance dropped to a fraction of that—or even resulted in a refund.

You Might Be Losing Money

Some non-filers are owed money by the government. If your employer withheld taxes from your paycheck, or if you qualify for refundable credits like the Earned Income Tax Credit or the Child Tax Credit (which was bumped up to $2,200 per child under the One Big Beautiful Bill Act), you might have a refund sitting in limbo.

You only have three years from the original due date of a return to claim a refund. Miss that window, and the money is gone. Forever. The IRS keeps it. They will not remind you. They will not send you a check out of the goodness of their institutional heart. The clock runs out, and your money evaporates.

So if you haven't filed for, say, 2022, and you were owed a refund for that year, the original due date was April 15, 2023, and your three-year window closes on April 15, 2026. If you're reading this and the math is getting tight, stop reading and go file that return. Seriously. We'll wait.

The Six-Year Itch: A Famous Rule, Widely Misunderstood

You may have heard a rumor about a "six-year rule." The whispered wisdom goes something like this: *"If you haven't filed in six years, the IRS forgets about you."*

This is a dangerous misunderstanding, and we need to bury it right now.

Here's what's actually going on. There are several different "six-year" rules floating around, and they apply to different things:

Criminal charges: There is a six-year statute of limitations for the IRS to bring criminal tax charges against you. This means that if you didn't file a return for 2018, the IRS generally can't prosecute you criminally for that specific failure after 2024. But this only applies to criminal prosecution. It has absolutely nothing to do with your obligation to pay.

IRS compliance policy: The IRS has a long-standing internal policy that, in most cases, it will only require non-filers to go back and file the last six years of missing returns to get back into compliance. This is a practical guideline, not a law. It means that if you haven't filed in twelve years, the IRS will typically focus on the most recent six years and let the older ones go—for purposes of getting you compliant. But again, this is policy, not a legal right, and they can deviate from it.

The civil debt never disappears on its own. Here's the critical part: if you never file a return, there is *no* statute of limitations on the IRS assessing and collecting the tax you owe for that year. The ten-year collection statute that normally limits how long the IRS can chase a debt only starts ticking when a return is filed and the tax is assessed. No return filed means the clock never starts. The debt doesn't vanish. It just sits there, accumulating penalties and interest, like a bill you shoved in a drawer and tried to forget about—except this bill has the full weight of the federal government behind it.

The six-year rule is about getting back into compliance. It is not a "get out of jail free" card, and it doesn't make your tax debt disappear. The only thing that starts the clock on the IRS's ability to collect is filing the return.

The Path Back: How to Rejoin the System

Okay. Deep breath. You understand the penalties, you understand the interest gremlin, and you understand that hiding isn't working. Now let's talk about the path forward, which is genuinely more straightforward than you probably think.

The Golden Ticket: Voluntary Disclosure

The IRS has a long-standing policy, and this one is actually good news, that it will generally not criminally prosecute a non-filer who comes forward and files their past-due returns *before* the IRS contacts them about that specific issue. Read that again. If you act first, you effectively take the worst-case scenario (prison) completely off the table.

This is your golden ticket. By being the one to make the first move, you transform yourself from a potential criminal case into a civil matter. Civil matters involve money—penalties, interest, payment plans. They do not involve handcuffs. The difference between "I came forward voluntarily" and "I got caught" is enormous in the eyes of the IRS.

Step 1: Decide How Far to Go Back

For most people, filing the last six years of delinquent returns is sufficient to satisfy the IRS and get back into compliance. If you've been out of the system for longer than that, start with the most recent six years. Don't let the prospect of filing twelve or fifteen years of returns paralyze you into filing zero. Perfect is the enemy of done.

If you're unsure which years you need to file, you can check your IRS Online Account (see Chapter 2) or request a Wage and Income Transcript, which will show you what income the IRS has on file for each year. This also tells you whether the IRS has already filed an SFR for any of those years.

Step 2: Gather Your Ammo

To file your back returns, you'll need your old income records—W-2s, 1099s, and any other documents showing what you earned. If you don't have them (and after several years, who does?), don't panic. The IRS will give them to you.

Go to IRS.gov and use the **"Get Transcript Online"** tool to download Wage and Income Transcripts for each year you need to file. These transcripts will show you every W-2, 1099, and other information return that was reported to the IRS under your Social Security number for that year. No alarms will go off. No SWAT team will be dispatched. The IRS will simply give you your own information.

You can also request transcripts by mail using Form 4506-T if you prefer the paper route.

One important note: the transcripts only show income that was reported to the IRS by a third party. If you had cash income, side gigs, or other earnings that weren't reported on a W-2 or 1099, you'll need to reconstruct those numbers as best you can from bank statements, invoices, or other records. Be honest. The goal here is to file accurate returns, not perfect ones.

Step 3: Prepare the Returns

You must use the tax forms and rates that were in effect for each year you're filing. You can't use this year's 1040 for a 2020 return. Prior-year forms and instructions are available on the IRS website.

If you're one or two years behind and your tax situation is simple (W-2 income, standard deduction), you may be able to handle this yourself using the prior-year forms and some patience.

If you're several years behind, or if you have self-employment income, rental properties, investment income, or anything more complex than a straightforward W-2 situation, this is one of those times where calling in a professional is worth every penny. A CPA, Enrolled Agent, or tax attorney who specializes in back filings can prepare the returns correctly, identify deductions and credits you might miss, and present your situation to the IRS in the most favorable light.

Do not let the IRS prepare your returns for you. Remember the SFR. They will do a terrible job, because it's not their job to do a good one on your behalf.

Step 4: File the Returns (Even If You Can't Pay)

This brings us back to the most important rule in this chapter—the one we said we'd repeat until it was burned into your brain.

FILE. EVEN. IF. YOU. CAN'T. PAY.

Remember how the Failure to File penalty is 5% per month and the Failure to Pay penalty is 0.5% per month? Filing the return without a payment stops the massive Failure to File penalty from bleeding you dry. The smaller Failure to Pay penalty will still accrue, and interest will keep running, but you've just reduced your monthly penalty rate by 90%.

Filing also starts the ten-year collection statute. Once the return is filed and the tax is assessed, the IRS has ten years to collect. After that, the debt expires. If you never file, the clock never starts. Filing is literally what puts an end date on the IRS's ability to come after you.

And here's one more reason: once you've filed, you can start working on a payment plan. You can set up an Installment Agreement (Chapter 7), apply for an Offer in

Compromise (Chapter 8), or request Currently Not Collectible status if you truly can't afford to pay. None of these options are available to you until those returns are filed. Filing is the key that unlocks every other door.

Mail your back returns to the IRS service center designated for your state (check IRS.gov for the correct address). Send them by certified mail, return receipt requested. And yes—we know we keep saying this, but certified mail with a return receipt is the taxpayer's best friend. It's your proof of filing, and it's worth the extra few dollars every single time.

Step 5: Deal with the Money

Once the returns are filed, you'll know what you actually owe. And here's where many people get a pleasant surprise: the SFR amount that's been haunting your IRS account is often much higher than what you truly owe, because the SFR gives you no deductions or credits. Your actual returns will replace the SFR, and the balance may drop significantly.

Whatever the final number is, you have options. We dedicate entire chapters to Installment Agreements (Chapter 7), Offers in Compromise (Chapter 8), and Currently Not Collectible status (Chapter 7). You don't have to pay it all at once. You may not have to pay it all, period. But first, you have to file.

A Word About State Returns

We've focused entirely on federal returns in this chapter, because the IRS is the big, scary one. But don't forget: most states have their own income tax, and if you haven't filed federal returns, you probably haven't filed state returns either.

State tax agencies have their own penalties, their own interest rates, and their own collection powers. Some are more aggressive than others. Florida, Texas, and a few other states don't have a state income tax, so if you live in one of those states, you can skip this concern. But if your state does have an income tax, you'll need to file back state returns as well.

The silver lining is that most state returns are based on your federal return, so once you've done the heavy lifting on the federal side, the state returns are usually much simpler to complete.

The Monster Was Mostly Paperwork

That's the truth of it. The monster in your closet—the one that's been keeping you up at night, the one you've been avoiding at dinner parties when someone mentions taxes—is mostly just a pile of paperwork. Intimidating paperwork, tedious paperwork, paperwork that requires effort and maybe a professional's help. But paperwork.

By choosing to act, you take away its power. You stop the financial bleeding. You start the collection clock. You unlock your options for payment plans and settlements. And you take the possibility of criminal prosecution off the table entirely.

The IRS rewards the person who comes in from the cold voluntarily. They punish the person who has to be dragged. Be the first person. Start today, even if all you do today is pull your transcripts from IRS.gov and make a list of the years you need to file.

The first step is always the hardest. But you've already taken it. You're reading this chapter. The next one is just a little bit of paperwork.

Chapter 4: Audit-geddon: A Survival Guide

The moment the audit letter arrives, your imagination kicks into overdrive. You picture a shadowy man in a dark, windowless room, pointing an accusatory finger at your tax return and growling, "Get me this one."

We are delighted to inform you that this is pure fantasy. You weren't singled out by a supervillain. You were chosen by a piece of software with the personality of a toaster.

The Toaster of Doom: How You Got Picked

The vast majority of audits are initiated by an IRS computer program called the Discriminant Function System, or DIF. We introduced it briefly in Chapter 1, and now it's time to get to know it properly. Think of DIF as a giant sorting machine that scans every tax return filed in the country and gives each one a secret score. A higher score means a higher statistical probability that auditing the return will produce additional tax revenue for the government.

Nobody outside the IRS knows the exact recipe for the DIF score, and the IRS guards it like Colonel Sanders guards his chicken recipe. But we know enough about the ingredients to paint a useful picture. The computer is a pattern-recognition machine, and it's looking for outliers—returns where the numbers deviate significantly from what's normal for people in your income bracket, your profession, or your geographic area.

The Weird-o-Meter. If everyone in your income bracket typically deducts about $3,000 for charitable contributions, and you claim you donated a vintage Firebird and a small island, the toaster is going to flag your return. It doesn't know you're lying—it doesn't think at all—but it knows you're unusual, and unusual is what gets its attention.

The High-Roller Alert. The more money you make, the more interesting you become to the DIF. Once your income crosses the $200,000 threshold, your statistical chances of being audited roughly triple compared to someone earning $50,000. At the million-dollar-plus level, the odds increase even further. This isn't personal; it's math. Higher-income returns tend to be more complex, with more opportunities for errors or aggressive positions, and auditing them tends to produce more revenue for the IRS.

The Self-Employment Flag. If you file a Schedule C reporting self-employment income, you are automatically more likely to draw the toaster's attention. Self-employed people have more deductions to claim, more room for error (or creativity), and less third-party reporting to verify their income. The IRS knows this, and the DIF adjusts accordingly.

The Mismatch Alarm. Separately from DIF, the IRS runs a matching program that compares the income you reported on your return against the income reported to the IRS by your employers, banks, brokerages, and clients. If a company sent a 1099 saying they paid you $15,000 and that $15,000 doesn't appear on your return, a computer will catch it. This kind of mismatch is the most common trigger for the automated notices we discussed in Chapter 2, and it can also trigger a formal audit.

After the toaster spits out a list of "interesting" returns, a human classifier gives them a quick review to decide which ones are actually worth pursuing. But the initial selection is statistical, not personal. You didn't offend anyone. You didn't get reported by a jealous neighbor. (Well, probably not. Informant tips do exist, but they account for a tiny fraction of audits.) You just triggered a math formula.

The Silver Lining: Audit Rates Are at Historic Lows

Here's a piece of context that should help you sleep at night. The IRS's audit rate has been declining for over a decade, and the staffing losses in 2025 accelerated the trend dramatically. The agency lost roughly a third of its revenue agents—the people who actually conduct audits—in a single year.

For the average individual taxpayer earning under $200,000, the odds of being audited are now well below 0.5%. Even for higher-income filers, the rates are a fraction of what they were a decade ago. The IRS simply doesn't have the people to audit at scale.

This does *not* mean you should play fast and loose on your return. The consequences of getting caught in an audit you lose are still significant—additional tax, penalties, interest, and in rare cases, referral for criminal investigation. And audit rates can change. Congress could fund more auditors tomorrow. But for right now, in this moment, the statistical odds are in your favor, and the fear of an audit is almost always worse than the reality of one.

Know Your Battlefield: The Three Flavors of Audit

Not all audits are created equal. They come in three distinct flavors, ranging from "mildly annoying" to "get your game face on." Knowing which one you're dealing with is essential, because the preparation, the stakes, and the strategy are different for each.

Flavor #1: The Pen Pal Audit (Correspondence Audit)

This is the most common type of audit by a wide margin, accounting for the vast majority of all audits conducted. It is handled entirely by mail. You will never see a human being, never sit in an office, and never have to look anyone in the eye while explaining why you claimed your cat as a dependent. (Don't do that, by the way.)

The most common form of a correspondence audit is the CP2000 notice. This is not technically an audit in the traditional sense—the IRS calls it an "underreporter inquiry"—but it functions the same way. A CP2000 notice proposes a change to your tax return because the information the IRS has on file (from W-2s, 1099s, etc.) doesn't match what you reported. It will show you, line by line, what they think you got wrong and how much additional tax they think you owe.

Here's a fun fact that should bring you immense comfort: **CP2000 notices are frequently wrong.** Not always, but often. The mismatch might be because the IRS received a corrected form that didn't get processed, or because you properly reported the income on a different line of your return than the computer expected, or because a 1099 was issued in error. Sometimes the IRS's own matching system just gets confused.

Survival Strategy:

Do not panic. Do not ignore. Read the notice carefully, line by line. Compare what the IRS says you earned to what you actually reported. Identify the specific discrepancy.

If they're right, and you genuinely forgot to report some income or made a math error, you can sign the response form and agree to the adjustment. Pay the additional tax (or set up a payment plan), and it's over. No shame, no drama, just a correction.

If they're wrong, you need to respond in writing by the deadline on the notice (usually 30 days, with extensions available). Gather the documents that prove your position—the corrected 1099, the brokerage statement, the record showing you reported the income on Schedule D instead of Schedule C, whatever the case may be. Write a clear, concise explanation of why the proposed change is incorrect.

Send copies, never originals. Make photocopies of every document you're including and send the copies. Keep the originals in your file. And send everything by certified mail, return receipt requested.

Don't volunteer extra information. Answer the question they asked, support it with documentation, and stop. Do not include your entire tax history, a handwritten autobiography, or an unsolicited explanation of your business philosophy. Give them exactly what they asked for and nothing more.

Flavor #2: The Parent-Teacher Conference (Office Audit)

This is the next level of seriousness. The IRS sends you a letter requesting that you come to their local office for a face-to-face meeting. It feels like being called to the principal's office, and the comparison is apt—you're going to sit across from someone who wants to ask you pointed questions about specific items on your return.

The letter will specify the exact items they want to examine. It might be your charitable contributions, your business expenses, your rental property deductions, or a specific credit you claimed. The scope is defined in advance, and this is important: they are not supposed to go beyond the items listed in the letter.

Survival Strategy:

Play for time. You are allowed to reschedule. If the appointment is two weeks away, call and ask for a date that's a month or two out. They will almost always agree. This gives you precious time to gather your records, organize your documentation, and consult with a tax professional if you want to.

Only bring what's on the list. This is critical. If the letter says they want to examine your charitable contributions for 2024, bring your charitable contribution records for 2024. Do not bring returns from other years. Do not bring your entire shoebox of receipts. Do not bring documents related to items they haven't asked about. Every additional piece of information you bring is a potential rabbit hole the auditor might wander down. Don't give them a bigger playground.

Master the Six Magic Phrases. Your goal in an office audit is to answer the auditor's questions truthfully without volunteering extra information. Silence is your friend. The six most useful responses are:

1. "Yes."
2. "No."
3. "I don't recall."
4. "I'll have to check my records and get back to you."
5. "What specific document are you looking for?"
6. "Why do you need that?"

Then stop talking. Resist the urge to fill silence. Resist the urge to explain, justify, or tell a story. The auditor is trained to let silence hang in the air because people rush to fill it, and when they do, they often say things they didn't need to say. Answer the question. Stop. Breathe. Wait for the next one.

Never, ever lie. Lying to a federal agent is a felony. It can turn a civil audit (which is about money) into a criminal matter (which is about prison). There is no audit adjustment large enough to justify that risk. If you made a mistake on your return, it is infinitely better to acknowledge it honestly than to compound it with a lie.

Be polite and professional. Bring your documents organized in labeled folders. Bring a summary spreadsheet if you have one. Present yourself as a person who takes their tax obligations seriously and made an honest effort to get it right. Auditors are human beings, and they respond to organization and sincerity the same way anyone does.

Flavor #3: The Full House Tour (Field Audit)

This is the main event, usually reserved for business owners, high-income individuals, and complex returns. A Revenue Agent will contact you to schedule an audit that takes place at your place of business, your home, or (preferably) your accountant's office. A field audit is a comprehensive financial examination, and the scope can be broad.

The auditor will want to see books, records, bank statements, and documentation for deductions and income. They may interview you. They may tour your business premises. They may look at how you live to see if your lifestyle matches your reported income—a practice called the "economic reality check." If you report $40,000 in income but drive a new Mercedes and live in a $600,000 house, they will have questions.

Survival Strategy:

Get it out of your territory. This is the single most important rule for a field audit. Do not let the audit take place at your home or your business if you can possibly avoid it.

Your home reveals personal information the auditor doesn't need. Your business premises give them opportunities to observe things—inventory, staffing levels, foot traffic—that might spark new questions beyond the original scope.

Politely but firmly request that the audit be conducted at the agent's office or, even better, at your tax professional's office. The IRS will generally accommodate this request.

Hire a guide. We mean this seriously. Do not go into a field audit without professional representation. An Enrolled Agent, CPA, or tax attorney who specializes in audits knows the terrain, knows the agent's techniques, and can communicate with the auditor on your behalf. In many cases, you don't even have to attend the audit yourself—your representative can handle the entire thing with a properly executed Power of Attorney (Form 2848).

A good tax professional isn't just there for moral support. They know what the auditor can and cannot legally demand, they know when to push back, and they know how to present your case in the most favorable way possible. The cost of hiring one is almost always less than the cost of getting something wrong because you tried to handle it alone.

Understand the paperwork. During a field audit, the agent will issue Information Document Requests (IDRs)—written requests for specific records. Respond to IDRs promptly and completely, but again, only provide what they asked for. If the audit escalates and the agent issues a formal Summons (a legally enforceable demand for records or testimony), it's time to call a tax attorney if you haven't already. A Summons is the IRS equivalent of a subpoena, and ignoring one has legal consequences.

Your Audit-Geddon Go-Bag: Preparing for Any Audit

Regardless of which flavor of audit you're facing, good preparation is your shield and your sword. Here's how to get ready.

Review your return. Pull out the tax return that's being audited and read through it like you've never seen it before. Remind yourself what you claimed, what numbers you used, and where those numbers came from. If it's been a year or two since you filed, you'll be surprised how much you've forgotten.

Organize, organize, organize. Find the records that support the items being examined and organize them logically—by category, by date, or by whatever system makes it easy to find what you need quickly. A neat stack of papers with a spreadsheet summary looks far more credible than a crumpled shoebox of receipts. The auditor will notice. They always notice.

Steal the enemy's playbook. This is one of the best-kept secrets in audit preparation. The IRS publishes its own internal training materials called "Audit Technique Guides" (ATGs) on IRS.gov. These guides are written for auditors, and they literally tell auditors what to look for when examining taxpayers in specific industries. There are ATGs for everything: cash-intensive businesses, construction, real estate, ministers, artists, veterinarians—you name it.

Find the ATG for your profession or the type of deduction being examined, download it, and read it. You will know exactly what the auditor is going to ask before they ask it. You will know which red flags they've been trained to spot. You will know what documentation they expect to see. It's like finding the answer key to the test, except the IRS put it on their own website and told you to go get it.

Reconstruct missing records. If you can't find the receipt for a deduction, all is not lost. The IRS accepts other forms of substantiation: bank statements, credit card statements, cancelled checks, written logs, calendar entries, and even sworn declarations in some cases. The Cohan Rule, established by a court case involving the songwriter George M. Cohan, allows taxpayers to estimate certain expenses when exact records are unavailable—as long as the estimate is reasonable and you can show that *some* expense was incurred. It's not a blank check, but it's better than surrendering a deduction entirely because you lost a receipt.

Know your deadlines. The IRS generally has three years from the date you filed your return (or the due date, whichever is later) to initiate an audit. If you substantially understate your income (by more than 25%), that window extends to six years. And if you file a fraudulent return or don't file at all, there is no time limit. Knowing where you fall on this spectrum helps you understand how long you need to keep records and how urgently you need to respond.

What Happens When the Audit Is Over

The audit ends in one of three ways:

No change. The auditor reviewed your records and agreed with your return as filed. You owe nothing additional. Take a moment to appreciate this rare and beautiful outcome, and then go treat yourself to something nice.

Agreed. The auditor proposed changes and you agree with them. You sign the examination report, and the additional tax (plus penalties and interest) is assessed. You can pay it, or set up a payment plan (Chapter 7).

Disagreed. The auditor proposed changes and you believe they're wrong. You do *not* have to sign. In fact, disagreeing opens the door to one of the most powerful tools available to you: the IRS Appeals process. This is so important, and so underutilized, that we've devoted the entire next chapter to it.

If you disagree, the IRS will send you a "30-day letter" outlining the proposed changes and giving you 30 days to file a protest and request an appeal. Do not let this deadline pass without acting. The Appeals division is the most reasonable place in the entire IRS, and it's where the majority of disputed cases get resolved favorably for the taxpayer. But you have to show up.

An Audit is Not Good vs Evil

An audit is not a battle of good versus evil. It's an open-book test. The IRS has questions about your return, and your job is to provide answers—supported by documentation, presented with organization, and delivered without unnecessary drama.

The auditor isn't your enemy. They're a person doing a job, following a manual, looking for specific things. If your records are solid, your deductions are legitimate, and your presentation is organized, you're going to be fine. And if the audit doesn't go your way, you have Appeals, Tax Court, and a whole arsenal of tools we haven't even gotten to yet.

The worst thing you can do is panic. The second worst thing is to ignore it. The best thing you can do is prepare.

You've got the survival guide. Now let's talk about what to do if the audit doesn't go your way.

Chapter 5: Making Your Case: The Art of the Audit Appeal

After a disappointing audit, it's easy to feel like the fight is over. The auditor examined your records, made their determination, and handed you a bill. Game over. Pack it up.

It isn't. Not even close. In fact, you are about to be introduced to the most surprisingly reasonable place in the entire Internal Revenue Service: the Independent Office of Appeals.

Think of the audit as the rigid, by-the-book preliminary round. The auditor followed a manual, applied the rules as written, and reached a conclusion based on what they saw. The appeal is the sit-down negotiation in a quiet back room where a calmer, more pragmatic official takes a second look at the whole picture. This is, without a doubt, your single best shot at getting a fair deal—and the statistics back that up.

The Land of Reasonable People (Why Appeals Is Your Secret Weapon)

The Appeals division is entirely separate from the audit division. Different office. Different people. Different job description. This separation matters enormously.

An auditor's job is to apply the tax law as written and determine what they believe you owe. They have relatively little discretion to cut you a deal. If the law says your deduction doesn't qualify, the auditor disallows it, full stop. They're not being heartless; they're doing their job.

An Appeals Officer's job is fundamentally different. Their mission is to resolve tax controversies *without going to court*. They are settlement officers. Their performance is measured not by how much money they collect, but by how many cases they close through agreement.

This distinction changes everything, and it all comes down to a few magic words: **"Hazards of Litigation."**

An Appeals Officer knows that if your case goes to Tax Court, the IRS might lose. A judge might side with you. The evidence might be closer to 50/50 than the auditor acknowledged. The IRS might have misapplied a regulation, or the facts might be ambiguous enough that a reasonable judge could go either way. This possibility of losing in court—the "hazard of litigation"—is the engine that powers the entire Appeals process.

Because of this hazard, Appeals Officers have the authority to do things that auditors cannot. They can compromise on gray-area issues. They can split the difference. They can accept a partial concession on a deduction the auditor disallowed entirely. They can, in short, be *reasonable* in a way that the audit process structurally does not allow.

The numbers tell the story. Historically, taxpayers who take their cases to Appeals see the amount of tax and penalties reduced by around 40% on average. More than 80% of cases that reach Appeals are settled without going to court. These aren't long-shot numbers. These are the odds of a smart play.

And yet, an astonishing number of taxpayers never appeal. They get the audit result, feel defeated, and either pay the bill or ignore it. Both of those choices are worse than spending a little time and effort on an appeal.

Raising Your Hand: How to Start Your Appeal

After the audit, the IRS will send you a package with a letter called the "30-day letter." Despite its official-sounding name, it's simply the IRS telling you, "Here's what the auditor found. You have 30 days to disagree."

This letter is your starting pistol. You have 30 days from the date printed on that letter to file a written protest requesting an Appeals hearing. If you need more time—and you probably will—you can almost always get an extension by calling the contact number on the letter and asking politely. The IRS is generally accommodating about this, because they'd rather you file a proper protest than a rushed one.

How you file your protest depends on the amount the IRS says you owe:

For Amounts Under $25,000: The Small Case Request

If the total amount in dispute (additional tax and penalties for all years combined) is $25,000 or less, the process is wonderfully simple. You can use **Form 12203, Request for Appeals Review.** This is, we assure you, the least intimidating government form you will ever encounter. It's essentially a single page that asks: What do you disagree with? Why do you disagree?

You don't need to cite legal authorities. You don't need to write a brief. You just need to clearly state which items from the audit you're contesting and explain your side of the story in plain language. Something like: "The auditor disallowed my home office deduction because she said I didn't use the space exclusively for business. I disagree because the room has no other furniture besides my desk and filing cabinet, and I have attached photos and a floor plan showing it is used only for work."

That's it. Fill it out, attach any supporting documents you have, and send it in.

For Amounts Over $25,000: The Formal Written Protest

If the disputed amount exceeds $25,000, there's no shortcut form. You need to write a formal protest letter. This is more involved but still manageable, and it follows a specific structure:

Your letter must include:

- Your name, address, Social Security number (or EIN), and a daytime phone number
- A statement that you want to appeal the IRS's findings to the Office of Appeals
- A copy of the letter showing the proposed changes (the 30-day letter)
- The specific tax year(s) involved
- A list of each item you disagree with, along with the reasons for your disagreement
- The facts supporting your position
- The law or authority you're relying on (if you know it—and if you've hired a professional, they'll handle this)
- A sworn declaration under penalties of perjury that the statements in your protest are true

That last item sounds intimidating, but it's standard boilerplate. Something like: "Under penalties of perjury, I declare that the facts presented in this protest and any accompanying documents are true, correct, and complete to the best of my knowledge and belief."

If writing a formal protest feels daunting—and for amounts over $25,000, we're talking about real money—this is a strong case for hiring a tax professional. An Enrolled Agent or tax attorney who handles appeals regularly will know how to frame your arguments, cite the right authorities, and present your case in the language that Appeals Officers expect to see. The cost of hiring one is often a fraction of the tax savings they'll achieve.

The Golden Rule of Filing

Whatever method you use, whether it’s Form 12203 or a formal letter, **send it by certified mail, return receipt requested.** We know. We keep saying this. But in the world of IRS disputes, proving that you sent something and proving that they received it is everything. A missed deadline because the IRS claims they never got your protest can cost you your appeal rights entirely. The certified mail receipt is your insurance policy. Buy it every single time.

Gearing Up for the Rematch: Preparing Your Case

Once you've filed your protest, you'll typically have several weeks or even months before your Appeals hearing is scheduled. The Appeals Office has its own backlog (surprise), and the wait time varies. Use this time wisely. It's your preparation window, and preparation wins appeals.

Get the Auditor's File

Your first move should be to request a copy of the auditor's case file. This is your single greatest weapon in preparing for an appeal.

Thanks to the Taxpayer First Act of 2019, you have the legal right to receive a copy of the auditor's administrative file before your Appeals conference. This file contains the auditor's notes, their workpapers, their analysis of your case, and their reasoning for every adjustment they made. It's like being handed your opponent's playbook before the championship game.

To get it, you can request it in your protest letter, or you can submit a separate written request citing your right under the Taxpayer First Act. The Appeals Office should provide it to you before your conference.

Read the file carefully. Look for:

- **Misunderstandings of fact.** Did the auditor get something wrong? Maybe they thought you were a sole proprietor when you're actually an LLC, or they misread a bank statement.
- **Missing information.** Did the auditor not consider a document you provided? Did something get lost in the shuffle?
- **Legal disagreements.** Did the auditor apply a regulation in a way you think is incorrect? Did they interpret a rule more narrowly than published guidance supports?
- **Procedural errors.** Did the auditor follow proper procedures? Were you given proper notice? Were your rights respected?

Each of these is a potential crack in the auditor's position, and each crack is leverage in your appeal.

Organize Your Own Evidence

Next, get your own materials in order. For every item you're disputing, create a separate, clearly labeled folder (physical or digital) containing:

- The auditor's proposed adjustment for that item
- Your explanation of why the adjustment is wrong
- The supporting documents (receipts, statements, contracts, photos, logs)
- Any new evidence you've obtained since the audit that strengthens your position

If you've found additional records that you didn't have during the audit, now is the time to present them. Appeals Officers are generally willing to consider new evidence that wasn't available at the audit stage. This is one of the key advantages of the Appeals process—it's a fresh look, not just a rubber stamp of the auditor's conclusions.

Use charts, spreadsheets, or summary documents to make your points clear and easy to follow. An Appeals Officer who can quickly grasp your argument is more likely to rule in your favor than one who has to wade through a disorganized pile of papers.

The Art of the Deal: The Hearing and Negotiation

An Appeals hearing is an informal meeting, not a trial. There's no judge, no jury, no witness stand. It's typically conducted by phone or video conference, though in-person meetings at an IRS office are sometimes available. The atmosphere is closer to a business negotiation than a courtroom drama.

The Appeals Officer assigned to your case is an experienced professional—usually someone who has been with the IRS for years and has a deep understanding of tax law. Their primary motivation is to resolve your case so they can move on to the next one. They are not looking for a fight. They are looking for a reasonable resolution.

Here's how to approach it:

Be Objective, Not Angry

Leave your emotions at the door. The auditor may have been wrong, unfair, or insufferable, but your Appeals hearing is not the place to relitigate grievances about the audit experience. Your goal is to calmly and professionally point out where the auditor misunderstood the facts, overlooked evidence, or misapplied the law. Frame your disagreements as misunderstandings, not personal attacks. "I believe the auditor didn't have the complete picture" is infinitely more effective than "The auditor was incompetent."

Acknowledge Your Weaknesses

If you have a weak spot in your case (and most cases have at least one) bring it up yourself. This sounds counterintuitive, but it's a powerful negotiation technique. Admitting a small loss shows you're being reasonable and honest, which builds credibility. An Appeals Officer is far more likely to give ground on your strong points if you've demonstrated the maturity to concede your weak ones.

For example: "I understand that my recordkeeping for the business mileage deduction wasn't perfect, and I'm prepared to accept some reduction there. But I believe the home office deduction is fully supported by the documentation I've provided, and I'd like to discuss that."

Go for the Penalties First

The easiest thing for an Appeals Officer to concede is penalties. Penalties involve a degree of discretion. The IRS can abate them for reasonable cause or first-time compliance, and Appeals Officers know this. Asking for penalty abatement because your mistake was an honest one, or because you had a reasonable basis for the position you took, is a great opening move. It costs the government relatively little, it shows you know the process, and it sets a cooperative tone for the rest of the negotiation.

Be Willing to Compromise

Remember the magic words: hazards of litigation. The Appeals Officer is weighing the risk that the IRS might lose if this goes to court. If that risk is real—if the facts are genuinely ambiguous or the law is unclear—they have every incentive to offer a compromise.

If the officer offers to split a disputed issue 50/50, recognize that for what it is: a huge win compared to the 100/0 loss the auditor handed you. Total victory in Appeals is possible but uncommon. Favorable settlements that save you 30%, 40%, or 50% of the disputed amount? Those happen all the time. Don't let perfect be the enemy of good.

Get It in Writing

If you reach an agreement, the Appeals Officer will prepare a closing document for you to sign. Read it carefully before you sign. Make sure the numbers match what you agreed to. Make sure all the disputed items are addressed. If something looks different from what you discussed, ask about it before signing.

Once you sign, the agreement is generally final. You can't come back later and say you changed your mind. So take your time, and make sure you're comfortable with the deal.

If the Deal Falls Through

If you and the Appeals Officer can't reach an agreement—maybe the gap is too large, or the officer doesn't have the authority to concede the point you're pushing—the process doesn't end. You still have options.

The Appeals Officer will issue a **Notice of Deficiency**, also known as a **"90-day letter."** This is one of the most important documents in the entire tax system. It is your official, non-negotiable, ticking-clock ticket to the U.S. Tax Court—the only court in the country where you can challenge the IRS without paying the disputed tax first.

You have exactly **90 days** from the date on that notice to file a petition with the Tax Court. We cannot overstate the importance of this deadline. If you miss it, you lose your right to challenge the assessment in Tax Court, and your only option becomes paying the full amount and then suing for a refund in federal district court or the Court of Federal Claims. That's a much harder, much more expensive road.

But here's the encouraging part: even after you file a Tax Court petition, your case will most likely be sent right back to the Appeals division for another crack at settlement. The IRS doesn't want to go to trial any more than you do. The very act of filing a Tax Court petition gives you additional leverage, because now the IRS has to assign a lawyer from the Chief Counsel's office to your case, and that lawyer is looking over the Appeals Officer's shoulder, adding pressure to settle.

We'll cover the Tax Court process in detail in the next chapter. For now, just know that a failed appeal is not the end of the road. It's a detour to a different road that often leads back to the same destination: a reasonable settlement.

Why You Should Never Skip This Step

Let's put this in perspective. The Appeals process is:

- **Free.** There's no filing fee to request an appeal.
- **Effective.** Over 80% of cases settle, with average reductions of around 40%.
- **Low-risk.** The IRS cannot increase the amount you owe as a result of an appeal. The worst outcome is that the original audit result stands unchanged.
- **A prerequisite.** If you skip Appeals and go straight to Tax Court, the court will often send your case back to Appeals anyway. You might as well go there first and save time.

The Appeals process is the best second chance in the entire tax system. It is designed to be accessible, it is staffed by people whose job is to settle cases, and it operates in your favor more often than not. Skipping it because you're discouraged by the audit result is like leaving money on the table. Sometimes a lot of money.

Don't leave it on the table. File the protest. Make your case. And if you need help, hire someone who's done this before. The investment almost always pays for itself.

Chapter 6: Taking it to the Judge (Without a Fancy Lawyer)

Before you have a panic attack at the thought of courtrooms and gavels and someone saying "All rise," let us tell you a secret. You are about to be introduced to what we consider the People's Court of the tax world. A place designed specifically so that regular people—not corporations with armies of attorneys—can get a fair shake against the government behemoth. A place where you can tell your side of the story without having to pay the disputed tax bill first, a feature unique to this court alone.

Welcome to the "Small Case" Division of the United States Tax Court.

What Is the Tax Court, and Why Should You Care?

The U.S. Tax Court is a specialized federal court that handles only tax disputes. It's independent from the IRS—the judges are not IRS employees, and they don't take the IRS's word for anything. You start with a clean slate.

What makes Tax Court unique among all the courts where you could fight a tax dispute is this: **you don't have to pay the tax first.** In every other federal court—the U.S. District Courts, the Court of Federal Claims—you have to pay the full amount the IRS says you owe, and *then* sue for a refund. For most people, that's a nonstarter. If you could write a check for $30,000, you probably wouldn't be fighting about it.

Tax Court flips that script. You file a petition, and the IRS can't collect the disputed amount while your case is pending. It's the only courtroom where an ordinary taxpayer can challenge the IRS on a level playing field without first emptying their bank account.

The Small Case Division: Tax Court for the Rest of Us

When your dispute with the IRS is for **$50,000 or less in tax and penalties for any single tax year**, you can elect to have your case heard in the Tax Court's Small Case division, officially known as "S cases."

Think of it like small claims court, but for taxes, and with significantly less yelling. The formal, baffling rules of evidence and procedure that govern regular court proceedings don't fully apply here. The judges know they're dealing with ordinary citizens who don't have law degrees, and the entire process is designed to be as unintimidating as a federal court proceeding can possibly be.

You can represent yourself. You don't need a lawyer. You don't need to know legal jargon or file motions or understand the Federal Rules of Evidence. You need to be organized, honest, and able to explain your situation in plain English. That's it.

There is, however, one very important trade-off you need to understand before you elect the small case route: **the judge's decision is final.** You cannot appeal it. There is no second bite at this apple. It's a one-and-done deal.

For most people, this trade-off makes perfect sense. The simplified procedures, the lower stress, and the ability to represent yourself far outweigh the loss of appeal rights. Especially since, as you're about to learn, the overwhelming majority of small cases never see the inside of a courtroom anyway.

The Magic Trick: Why Filing Is a Power Move

Here is the great secret of the Tax Court, and it might be the most valuable piece of information in this entire chapter:

The vast majority of people who file a Tax Court petition never go to trial.

Filing a petition almost guarantees that you *won't* have to stand in front of a judge.

How is that possible? Because the very act of filing your petition is a power move that fundamentally changes the dynamics of your dispute with the IRS. Here's what happens behind the scenes:

When your petition lands at the Tax Court, your case file gets snatched out of the jaws of the IRS collection machine and, in most instances, sent right back to the Appeals division for another round of settlement negotiations. But this time, something is different. An IRS lawyer from the Chief Counsel's office is now assigned to your case and is looking over the Appeals Officer's shoulder.

That lawyer knows what trial preparation costs. They know the IRS doesn't have unlimited resources. They know that a judge might not see things the IRS's way. And they know that every hour spent preparing for your trial is an hour not spent on another case.

This new reality makes the IRS significantly more motivated to offer you a fair settlement. Filing a petition isn't really about preparing for trial. It's about forcing the IRS back to the negotiating table with a much stronger hand.

Think of it as the legal equivalent of standing up from the poker table and starting to put on your coat. You haven't left yet, but the other players suddenly get very interested in making a deal.

Your Ticket to the Show: How to File the Petition

The process begins with that 90-day letter (the Notice of Deficiency) you received from the IRS (either after a failed appeal, or directly from the audit if you didn't go through Appeals). You have exactly **90 days** from the date printed on that notice to get your petition to the Tax Court.

We need to be absolutely clear about this deadline: it is carved in stone. It is not negotiable. It cannot be extended. If your 90-day letter is dated January 15, your petition must be filed by April 15. Not April 16. Not "I dropped it in the mail on April 14 and it got there on April 17." Filed or postmarked by day 90. Period.

If you miss this deadline, you lose your right to challenge the assessment in Tax Court. Your only remaining option is to pay the full amount and sue for a refund in a different court—a much harder, more expensive, and less taxpayer-friendly path. Do not miss this deadline. Put it on your calendar, your phone, your refrigerator, and the back of your hand.

The Paperwork (It's Simpler Than You Think)

Thankfully, the paperwork itself is refreshingly straightforward.

Step 1: Get the Forms. Go to the U.S. Tax Court website at **www.ustaxcourt.gov** and find the Petition Kit for a small case. The court provides everything you need, including the forms and clear instructions for filling them out. You can also call the Tax Court clerk's office if you need help.

Step 2: Fill Out the Petition. The petition form is less complicated than most online shopping checkouts. You'll enter your name, address, Social Security number, the date of the 90-day letter, and the tax year(s) in question. You'll check a box to elect small case treatment (if your dispute is $50,000 or less per year).

Step 3: State Your Case. The form will ask you to briefly explain, in plain English, why you disagree with the IRS. This is not the place for a legal treatise. A few clear sentences will do:

"The IRS disallowed my business mileage deduction of $8,400. I maintained a contemporaneous mileage log throughout the year showing 14,000 business miles driven. I have attached a copy of the log and a summary of my business travel."

That's the level of detail they're looking for. Clear, specific, supported by documents you can produce. You're not writing a legal brief; you're telling a judge what happened and why you think the IRS got it wrong.

Step 4: File It. You can file your petition electronically through the Tax Court's DAWSON e-filing system on their website—this is the fastest and most reliable method. If you prefer paper, mail the original petition, a copy of your 90-day letter, and a **$60 filing fee** (check payable to "Clerk, United States Tax Court") to the address in the instructions.

If you file by mail, send it by—say it with us—**certified mail, return receipt requested.** The postmark date is what counts for the 90-day deadline, so the certified mail receipt is your proof that you filed on time.

A note on the filing fee: If you can't afford the $60 fee, you can request a waiver by filing an Application to Proceed at No Cost. The Tax Court will consider your financial situation and may waive the fee. Don't let sixty dollars stand between you and your day in court.

What Happens After You File

Once the Tax Court receives your petition, several things happen:

Collection stops. The IRS generally cannot collect the disputed tax while your case is pending in Tax Court. This alone is worth the $60 filing fee. If the IRS was breathing down your neck, filing a petition gives you breathing room—often a year or more.

Your case gets assigned. The Tax Court will assign your case to a judge and place it on a trial calendar. Don't panic when you see a trial date. Remember, most cases settle long before that date arrives.

Settlement negotiations begin. As we discussed, your case will typically be referred to the IRS Appeals Office or the Chief Counsel's office for settlement discussions. An IRS attorney will review the case and, in most instances, contact you (or your representative) to discuss a possible resolution. This is where the real action happens.

You'll receive a notice of trial. Eventually, you'll get a notice telling you when and where your case is scheduled for trial, along with a "Standing Pretrial Order" that explains what you need to do to prepare. The trial date is usually several months to a year after you file.

Between filing and the trial date, you'll likely receive a call or letter from an IRS attorney wanting to settle. Take these conversations seriously. The settlement offers that come after a Tax Court petition is filed are often significantly better than what was offered at the audit or Appeals stage, because the IRS now has skin in the game. Preparing for trial costs them time and money.

If You Actually Go to Trial

On the very off chance your case doesn't settle—and we want to emphasize how unlikely this is for small cases—don't panic. A small case trial is about as informal as a court proceeding can get.

The Setting

Tax Court judges travel. They hold trial sessions in cities across the country throughout the year, so you almost certainly won't have to travel to Washington, D.C. Your trial will likely be held in a federal building in or near your city—sometimes in a rented conference room, sometimes in a regular courtroom. The vibe is more "serious meeting" than "Law & Order."

Before the Trial

The Standing Pretrial Order will tell you what to prepare. Generally, you'll need to:

- Organize all your evidence (receipts, statements, logs, contracts, photos) into a neat package.
- Prepare two extra sets of copies—one for the judge and one for the IRS attorney.
- Write a brief summary of your case (the pretrial memorandum). This is a short document explaining the facts, what's in dispute, and why you think you should win. Keep it simple and factual.
- Exchange documents with the IRS attorney before trial. This is called "stipulation," and it's a process where both sides agree on facts that aren't in dispute. Stipulating to uncontested facts saves time at trial and makes you look cooperative and organized.

The Trial Itself

Here's how a small case trial typically goes:

Opening statements. You'll give a brief overview of your case. The IRS attorney will do the same. Keep yours short. Two to three minutes is plenty. Just tell the judge what the dispute is about and what you intend to show.

Your evidence. You'll present your documents and explain them to the judge. The judge may ask you questions. The IRS attorney may cross-examine you, but in small cases, this is usually brief and not aggressive. You're not on a witness stand being grilled by a prosecutor. The judge is genuinely trying to understand the facts.

The IRS's evidence. The IRS attorney will present their side. You'll have the opportunity to ask questions about their evidence.

Closing statements. You'll each briefly summarize your position. Again, keep it short and focused on the evidence you presented.

The judge's decision. The judge will not rule from the bench. The decision will be mailed to you, usually a few weeks to a few months after the trial. In small cases, the decision is typically a brief opinion explaining the judge's reasoning and the result.

Courtroom Etiquette (The Short Version)

- Address the judge as "Your Honor."
- Be polite to everyone, including the IRS attorney.
- Don't interrupt.
- Dress as you would for a job interview—business casual at minimum.
- Be honest. If the judge asks a question and the answer hurts your case, give the honest answer anyway. Judges can smell evasion, and credibility is the most valuable thing you have in a courtroom.

What If Your Dispute Is Over $50,000?

If the amount in dispute exceeds $50,000 per tax year, you can still file a petition in Tax Court, but your case will be handled under the regular (non-small-case) procedures. The rules are more formal, the process is more complex, and while you can technically still represent yourself, the stakes are high enough that we strongly recommend hiring a tax attorney.

Regular Tax Court cases follow formal rules of evidence and procedure, require more detailed legal filings, and produce decisions that can be appealed—by either side—to a U.S. Court of Appeals. They're real litigation, and they benefit from real legal representation.

The good news is that the same settlement dynamics apply. Filing a petition in a regular case creates the same pressure on the IRS to negotiate, and the majority of regular Tax Court cases also settle before trial.

The Other Courts (The Pay-First Option)

For completeness, you should know that Tax Court isn't the only place to fight the IRS. Two other federal courts hear tax disputes:

U.S. District Court. You pay the disputed tax in full, file a claim for refund, wait for the IRS to deny it (or wait six months), and then sue for a refund. The advantage: you get a jury trial if you want one. The disadvantage: you need to come up with the money first, and you almost certainly need a lawyer.

U.S. Court of Federal Claims. Similar to District Court—you pay first, then sue—but cases are heard by a judge, not a jury, and the court sits in Washington, D.C. (though judges sometimes travel).

For the vast majority of individual taxpayers, Tax Court is the clear winner. No payment required upfront, small case procedures available, self-representation is feasible, and the settlement dynamics overwhelmingly favor resolution before trial.

The Best Sixty Dollars You'll Ever Spend

Let's add it up. For a $60 filing fee, you can:

- **Stop IRS collection** on the disputed amount while your case is pending
- **Force the IRS back to the negotiating table** with a stronger hand than you've had at any prior stage
- **Get assigned an IRS attorney** who has every incentive to settle your case rather than prepare for trial
- **Buy yourself a year or more** of breathing room while the process plays out
- **Represent yourself** in a court specifically designed for ordinary people, with simplified procedures and judges who expect non-lawyers

And if your case *does* go to trial, you get to present your evidence to an independent judge who has no loyalty to the IRS and is genuinely interested in getting the right answer.

The Tax Court's small case division is the great equalizer. It's the place where the government's $50,000 claim meets your $60 filing fee, and the odds are better than you think.

Don't be afraid of it. Use it.

Chapter 7: "I Can't Pay!" - How to Tame an IRS Collector

The IRS deals with people who can't pay *all the time*. You are not a special case. You are not the first person to stare at a tax bill and feel the floor drop out from under you. The IRS has entire divisions, entire procedural manuals, and entire computer systems dedicated to handling people in exactly your situation. They have seen worse. They have payment plans for every income level. And they would much rather work with you than spend the next three years trying to squeeze blood from a stone.

The system is not designed to destroy you. It's designed to get whatever money it can, in whatever timeline is realistic, with the least amount of effort. That's not compassion—it's math. But the practical effect is the same: if you're willing to engage, there is almost always a path forward.

This chapter is about finding that path.

The Collection Timeline: What Happens Before a Human Gets Involved

Before a real, live collector ever enters the picture, you'll go through a predictable sequence of escalating letters from the IRS. Understanding this timeline gives you the power to intervene early, before things get serious.

The First Notice (CP14 or similar). Shortly after your return is processed and a balance is assessed, the IRS sends you a bill. It's polite, as IRS letters go. It tells you what you owe, including penalties and interest, and gives you a due date.

The Follow-Up Notices. If you don't pay or respond, the IRS will send a series of increasingly firm reminders over the next several months—typically four to five letters, each one a bit more stern than the last. These are generated automatically. No human is reading your file at this stage.

The ACS Phase. If the letters don't work, your account may be routed to the Automated Collection System (ACS), the giant call center we discussed in Chapter 1. You might start getting phone calls from ACS collectors. At this stage, the IRS may also file a Notice of Federal Tax Lien (more on that in Chapter 9).

The Revenue Officer. If your debt is large enough—generally $250,000 or more, though the threshold varies—or if ACS fails to resolve the case, a live Revenue Officer may be assigned. As we covered in Chapter 1, this is the field collector who can show up at your door.

Private Collection Agencies. For certain older, smaller debts, the IRS may hand your account to a private collection agency. You'll always receive written notice before this happens.

The key insight here is that you have *months* of warning before anything truly aggressive happens. Every letter is an opportunity to act. The earlier you engage, the more options you have and the less painful the resolution will be.

Option 1: The Short-Term Extension (180 Days)

If you can pay the full amount you owe but just need a little time to pull it together—maybe you're waiting on a bonus, selling an asset, or just need to spread it across a few paychecks—the simplest option is a short-term payment extension.

The IRS will give you up to **180 days** to pay your balance in full. There's no setup fee. Penalties and interest continue to accrue during this period, but you avoid the cost and paperwork of a formal installment agreement.

You can request this online through the IRS Online Payment Agreement tool at IRS.gov if you owe $100,000 or less, or by calling the number on your notice. It's fast, it's simple, and if you can realistically pay within six months, it's the cleanest way to handle things.

Option 2: The Installment Agreement (The Monthly Payment Plan)

This is the most common and straightforward method for handling a tax debt you can't pay all at once. An Installment Agreement (IA) is a formal arrangement where you pay the IRS a set amount each month until the debt is gone. It's the IRS equivalent of financing a car, except the car is your tax bill and the dealer is the federal government.

For many people, getting an installment agreement is surprisingly easy. How easy depends on how much you owe.

The Guaranteed Installment Agreement

If you owe **$10,000 or less** (not counting penalties and interest), and you've filed all required returns, and you haven't had an installment agreement in the past five years, the IRS is *required by law* to accept your payment plan. It's called the Guaranteed Installment Agreement, and it's exactly what it sounds like. You propose a monthly payment that will pay off the balance within three years, and the IRS must say yes.

The Simple (Streamlined) Installment Agreement

If you owe **$50,000 or less** in combined tax, penalties, and interest, you can qualify for a streamlined installment agreement. This is the sweet spot for most individual taxpayers, and it comes with a major benefit: **you don't have to submit a detailed financial statement.** The IRS doesn't need to know what you spend on groceries or what your car is worth. You just need to commit to paying off the balance within the time remaining on the collection statute.

Here's where a significant change happened in 2025 that works in your favor. The IRS used to require that streamlined agreements pay off the balance within 72 months (six years). That strict cap has been removed for agreements set up through Revenue Officers. Now, the payment can be spread over the entire remaining collection statute period, which can be up to 10 years from when the tax was assessed. This means lower monthly payments for many taxpayers.

You can set up a streamlined installment agreement in about 30 minutes through the IRS's **Online Payment Agreement** tool at IRS.gov. As long as you've filed all your past-due returns (a non-negotiable prerequisite for any payment plan), you'll likely get approved on the spot.

If you prefer, you can also apply by phone (call the number on your notice or 800-829-1040) or by mailing **Form 9465, Installment Agreement Request.**

The Non-Streamlined Installment Agreement

If you owe **more than $50,000**, or if you can't pay off the balance within the collection statute period, you'll need a non-streamlined installment agreement. This is where things get more involved, because the IRS will require a detailed financial statement (the dreaded Form 433—we'll get to that shortly). The IRS will use that statement to determine what they think you can afford to pay each month.

For Business Owners

If your business owes taxes (particularly employment taxes) the streamlined threshold is lower: **$25,000 or less**, to be paid within 24 months. Business tax debts are treated more seriously, especially payroll tax debts (see Chapter 11 for why). If your business owes more than $25,000, you'll need to provide financial statements and negotiate a payment amount.

Setup Fees

Installment agreements come with a setup fee, which varies depending on how you apply and how you pay:

- **Online application with Direct Debit:** $22 (the cheapest option)
- **Online application without Direct Debit:** $69
- **Phone, mail, or in-person application with Direct Debit:** $107
- **Phone, mail, or in-person application without Direct Debit:** $178

Low-income taxpayers (those with adjusted gross income at or below 250% of the federal poverty guidelines) may qualify for a fee waiver or reimbursement. Apply online with Direct Debit if at all possible—it's not only cheaper but also reduces the risk of accidentally missing a payment and defaulting on your agreement.

The Rules of the Road

Once you have an installment agreement, you need to follow these rules or risk having it revoked:

Make every payment on time. A missed payment can trigger a default notice (CP523), and if you don't respond, the IRS can terminate your agreement and resume full collection activity. If you're going to miss a payment, call them *before* the due date to discuss options. Being proactive goes a long way.

Stay current on all future tax filings. You must file every future tax return on time. If you fall behind on a new year's return while you're on a payment plan for an old year, the IRS can revoke the agreement.

Don't create new tax debt. If you owe additional tax on a new return while your installment agreement is active, you're in default territory. Adjust your withholding or make estimated tax payments to make sure this doesn't happen.

Know that interest and penalties continue. An installment agreement doesn't freeze the clock on interest. The late-payment penalty is reduced to 0.25% per month while the agreement is in effect (down from the usual 0.5%), but interest continues to accrue on the entire balance until it's paid in full. This means the total amount you'll pay over the life of the agreement will be more than the original balance. The faster you pay it off, the less interest you'll pay.

Option 3: Currently Not Collectible Status (The Pause Button)

What if your financial situation is so dire that you can't afford *any* monthly payment? What if every dollar you earn goes to keeping a roof over your head and food on the table, and there's genuinely nothing left over?

It's time to ask the IRS to hit the pause button.

This is officially known as **Currently Not Collectible (CNC)** status. It's the financial equivalent of pulling the emergency brake. You are telling the IRS: "Look, my well is dry. I understand I owe this money, but right now, you can't get blood from a stone."

And here's the remarkable thing: if you can prove it, they will actually listen.

If your account is placed in CNC status, the IRS will generally stop all active collection activities. No levies on your bank account. No wage garnishments. No Revenue Officer knocking on your door. The debt doesn't disappear—it still exists, and interest continues to accrue—but the IRS essentially puts your case on the shelf and leaves you alone.

How Long Does CNC Last?

CNC status isn't permanent. The IRS will review your financial situation periodically (typically once a year) to see if your circumstances have improved. If you get a better job, inherit money, or otherwise come into funds, they may pull your case back off the shelf and resume collection efforts.

The ten-year collection statute keeps running while you're in CNC status. If the IRS placed your account in CNC status and the collection statute expires before they get back to you, the debt is legally uncollectible. It's gone. This makes CNC status not just a temporary reprieve but, for some taxpayers, a long-term strategy.

How to Get CNC Status

You'll need to demonstrate that your monthly income minus your allowable living expenses leaves nothing (or essentially nothing) for the IRS. This means providing a financial statement—usually Form 433-F for phone or ACS requests, or Form 433-A for Revenue Officer cases.

We cover the art of completing these forms in the next section, because getting them right is critical whether you're applying for CNC status, a non-streamlined installment agreement, or (in the next chapter) an Offer in Compromise.

The Financial Confessional: Surviving the Dreaded Form 433

Whether you're seeking a complex installment agreement, CNC status, or preparing for an Offer in Compromise, you will eventually encounter one of the IRS's Collection Information Statements. The Form 433 family. These forms are the government's multi-page attempt to perform a complete financial colonoscopy, and they are invasive, tedious, and absolutely conquerable if you approach them the right way.

There are several versions:

- **Form 433-F:** The shorter version, typically used for phone/ACS interactions
- **Form 433-A:** The longer version for individuals, used by Revenue Officers and for Offers in Compromise
- **Form 433-B:** The business version

They all ask the same basic questions: What do you own? What do you earn? What do you spend? What do you owe? The IRS uses your answers to calculate your "reasonable collection potential"—how much they think they can realistically get from you.

Rule #1: Never Fill It Out on the Spot

If a Revenue Officer hands you this form during an unannounced visit, do not sit down at your kitchen table and start filling it out right then and there. Politely but firmly state that you need to take it home (or to your tax professional's office) to gather your records and complete it accurately.

An unprepared financial statement is a bad financial statement. You need time to gather bank statements, pay stubs, mortgage documents, and expense records. You need time to think about what you're reporting and make sure it's accurate. Rushing through this form is how people accidentally create a phantom "surplus" of disposable income that the IRS will demand as a monthly payment.

Rule #2: Master the Art of the Expense

This is where the battle is won or lost. The IRS allows for "necessary" living expenses, but their idea of what's necessary is based on published national and local standards, not on your actual spending.

Know their numbers before you start. The IRS publishes its **Collection Financial Standards** on IRS.gov. These standards set maximum allowable amounts for categories like food, clothing, housing, transportation, and out-of-pocket healthcare. The amounts vary by family size and geographic area. Look them up for your location and family size before you fill out the form, because these are the numbers the IRS will use to evaluate your expenses.

If your actual expenses exceed the standards, justify them. The IRS will allow expenses above the published standards if you can prove they are necessary for the health and welfare of your family or for the production of income. A higher-than-standard housing cost because you live in an expensive city may be allowable. A medical expense for a chronic condition that exceeds the out-of-pocket standard may be allowable. But you need documentation—leases, medical bills, prescriptions, insurance statements—to back it up.

Don't lowball yourself. This is the most common mistake people make, and it's driven by fear. In a panic, many taxpayers underestimate their living costs, thinking it will make the IRS more sympathetic. The opposite happens. Underreported expenses create an artificial surplus of disposable income on paper, and the IRS will promptly claim that surplus as a monthly payment. Be honest and be thorough. If you spend $600 a month on groceries for a family of four, report $600, not $400.

Don't forget expenses that are easy to overlook. Child care. Pet care (if it's a service animal or a working animal). Professional dues and licensing fees. Required uniforms or tools. Court-ordered payments like child support or alimony. Student loan payments. These are all legitimate expenses that reduce your disposable income on the form.

Rule #3: Value Your Stuff Like a Garage Sale Pro

The form will ask you to list your assets and their values. This includes your home equity, vehicles, bank accounts, retirement accounts, and personal property.

For real property and vehicles, the IRS wants the **quick sale value**—what you could realistically sell the asset for in a hurry, not what it's worth on a good day with a patient buyer. Quick sale value is typically estimated at 80% of fair market value.

For personal property (your furniture, electronics, clothing, household goods), think "Saturday morning garage sale prices." What would a stranger give you for your couch, your TV, and your kitchen table in cash, right now, today? The answer is almost always much less than you think, and that's the number you put on the form. This is not the time to be sentimental about the retail price of your living room set.

For bank accounts, the IRS wants the current balance. For retirement accounts, they want the current value. Note that the IRS *can* factor retirement accounts into your collection potential, but in practice, they often don't demand liquidation of retirement funds for installment agreements or CNC determinations—especially if you'd face early withdrawal penalties and taxes that would eat up much of the value.

Rule #4: Get Help If You Need It

If your financial situation is complex—if you own a business, have significant assets, or owe a large amount—completing the Form 433 correctly is one of the most consequential things you'll do in this entire process. The numbers you put on this form directly determine how much the IRS thinks you can pay.

A tax professional who specializes in IRS collections (an Enrolled Agent, CPA, or tax attorney with collection experience) knows how to complete these forms strategically. Not dishonestly, but in a way that accurately presents your situation within the IRS's own standards and guidelines. They know which expenses the IRS typically allows, which ones they push back on, and how to document everything so it holds up to scrutiny.

The cost of hiring someone to help with the Form 433 is often one of the best investments you can make in the entire resolution process.

Option 4: The Partial Payment Installment Agreement

There's a middle ground between a full installment agreement (where you pay the entire balance over time) and Currently Not Collectible status (where you pay nothing). It's called a **Partial Payment Installment Agreement (PPIA).**

Under a PPIA, you make monthly payments based on what the IRS determines you can afford, but the payments are structured so that you won't pay off the full balance before the ten-year collection statute expires. When the statute runs out, the remaining balance is written off.

This option is useful if you can afford *some* monthly payment but not enough to pay the debt in full within ten years. It requires the same financial disclosure as a non-streamlined installment agreement (Form 433-A), and the IRS will review your financial situation every two years to see if your ability to pay has changed.

A PPIA isn't as well-known as a standard installment agreement, but for taxpayers whose debts are large relative to their income, it can be a realistic and manageable path to resolution.

A Preview of Coming Attractions

This chapter covered the most common ways to manage a tax debt: short-term extensions, installment agreements, CNC status, and partial payment plans. These tools handle the majority of collection situations.

But what if your debt is truly overwhelming—so large that even a ten-year payment plan won't put a dent in it? What if your financial circumstances have changed so dramatically that the full amount is simply, genuinely uncollectible?

For those situations, a more powerful tool exists: the **Offer in Compromise**, which lets you settle your tax debt for less than you owe. It's harder to get than an installment agreement, and the process is more complex, but for the right taxpayer in the right circumstances, it can be life-changing.

That's the next chapter. But for now, know this: you have options. More than you thought. The IRS would rather work with you than fight you, because fighting is expensive and they're running on a skeleton crew. The goal isn't magic; it's management. It's about turning that chaotic, terrifying Dalí painting of your finances into a simple, structured, manageable plan.

Pick up the phone. Go to IRS.gov. File the form. The path forward exists. You just have to step onto it.

Chapter 8: The Art of the Deal: Offers in Compromise

You've probably seen the ads. Late-night television, radio spots during your commute, pop-ups on every tax-related Google search you've ever made. A deeply reassuring voice intones: *"Do you owe the IRS $10,000 or more? You could settle your tax debt for PENNIES ON THE DOLLAR!"*

And then, in a whisper: *"Call now for a free consultation."*

These ads have made the Offer in Compromise the most famous (and most misunderstood) tool in the entire tax resolution world. They've created a widespread fantasy that anyone who owes the IRS a significant amount of money can wave a magic wand, write a small check, and make the whole thing go away.

The Offer in Compromise is real. It is powerful. It is, for the right person in the right circumstances, genuinely life-changing. People have settled six-figure tax debts for a few thousand dollars. It happens.

But it is not magic, and it is not for everyone. The IRS accepted roughly one in five offers submitted in 2024. The process takes six months to a year (sometimes longer), requires extensive financial disclosure, and demands strict compliance with all tax obligations during and after the process. The late-night ads conveniently leave all of that out.

This chapter will give you the real story.

What Is an Offer in Compromise?

An Offer in Compromise (OIC) is a formal agreement between you and the IRS in which the IRS accepts less than the full amount you owe as payment in full for your tax debt. Once accepted, the remaining balance is forgiven. Done. Over. The slate is wiped clean for those specific tax years.

It is, without exaggeration, the grand slam of tax resolution.

The IRS has the legal authority to accept an OIC under three circumstances:

Doubt as to Collectibility. This is the most common basis. You agree that you owe the tax, but your income, expenses, and assets are such that the IRS is unlikely to ever collect the full amount from you. The math simply doesn't work. This is the "I'd love to pay, but I genuinely can't" scenario.

Doubt as to Liability. This is less common. You don't actually agree that you owe the tax—or at least not the amount the IRS says you owe. Maybe the assessment was based on an error, or you have evidence that the tax was calculated incorrectly. For this type, you file a separate form (Form 656-L) and don't need the financial statements. We won't focus heavily on this one here, because if you're disputing liability, you're usually better served by the audit reconsideration or appeals processes we covered in Chapters 4 and 5.

Effective Tax Administration (ETA). This is the rarest and most subjective basis. You agree you owe the tax, and the IRS might even be able to collect it—but requiring full payment would create an exceptional hardship or would be fundamentally unfair. Serious medical conditions, disabilities, or extraordinary personal circumstances can qualify. ETA offers are difficult to get approved, but they exist for situations where strict application of the rules would produce an unjust result.

For most people reading this chapter, Doubt as to Collectibility is the relevant path. That's what we'll focus on.

The Magic Formula: How the IRS Decides What You Can Pay

The IRS has a formula. They don't just accept whatever number you throw at them. They calculate what they believe is your **Reasonable Collection Potential (RCP)**, the maximum amount they could realistically collect from you through normal means, and that number becomes the floor for your offer.

The formula is straightforward in concept, even if the details get complicated:

RCP = Net Equity in Assets + Future Income

Let's break that down.

Net Equity in Assets. The IRS looks at everything you own—your house, your car, your bank accounts, your investments, your retirement accounts, your personal property—and calculates the "quick sale value." Quick sale value is typically 80% of fair market value, reflecting what you could sell the asset for in a hurry. Then they subtract any loans or encumbrances. The difference is your net equity.

For example: your home is worth $250,000 and you owe $220,000 on the mortgage. Quick sale value is $200,000 (80% of $250,000). Net equity: $200,000 minus $220,000 = negative. The IRS counts that as zero, not a negative number. You don't get credit for being underwater.

Future Income. The IRS takes your gross monthly income, subtracts your "allowable" monthly living expenses (using their published Collection Financial Standards, just like we discussed with Form 433 in Chapter 7), and the difference is your monthly "disposable income." Then they multiply that disposable income by either 12 or 24, depending on which payment option you choose:

- **Lump Sum Offer:** Disposable income × 12 months. You pay 20% upfront with your application and the rest within five months of acceptance.
- **Periodic Payment Offer:** Disposable income × 24 months. You make monthly payments while the IRS considers your offer and continue paying after acceptance for up to 24 months total.

So if the IRS determines you have $200 per month in disposable income and zero net equity in your assets, your minimum acceptable offer under the lump sum option would be $200 × 12 = $2,400. Under the periodic payment option, it would be $200 × 24 = $4,800.

That's the floor. You can offer more (which can help your chances), but offering less than the RCP will almost certainly result in rejection. Unless you can document special circumstances that justify a lower amount.

Who Actually Qualifies?

Not everyone. The OIC is designed for people in genuine financial distress, not for people who simply don't want to pay.

Before the IRS will even consider your offer, you must meet these prerequisites:

All required tax returns must be filed. Every single one. If you're missing returns, go back to Chapter 3 and get that handled first. The IRS will not process an OIC from someone who isn't in filing compliance.

Current estimated tax payments must be up to date. If you're self-employed and required to make quarterly estimated payments, those must be current for the current year.

Current payroll tax deposits must be current. If you're an employer, your federal tax deposits for the current quarter and the two preceding quarters must be current.

You cannot be in an open bankruptcy proceeding. If you're in active bankruptcy, the OIC process is off the table until the bankruptcy is resolved.

Beyond the prerequisites, the IRS uses a Pre-Qualifier Tool on its website (search "OIC Pre-Qualifier" on IRS.gov) that lets you plug in your basic financial information and get a rough estimate of whether you'd qualify and what your minimum offer might be. It's not official or binding, but it's an excellent reality check before you invest time and money in a formal application.

The Reality Check

If you have significant equity in your home, substantial retirement accounts, a solid income, and your expenses aren't unusually high, the RCP formula will produce a number close to what you actually owe. In that case, an OIC probably isn't your best option. An installment agreement (Chapter 7) would make more sense.

The OIC works best for people whose financial picture genuinely shows that full payment is unlikely: low or moderate income, minimal assets, high necessary expenses, or some combination of all three. It also works well for people with very old tax debts where the collection statute is winding down, because the future income multiplier is based on the remaining time the IRS has to collect.

The Application: What You Need to Submit

Applying for an OIC is not a casual undertaking. It requires detailed paperwork, a non-refundable application fee, an initial payment, and a stack of supporting documentation. Here's what goes in the package:

Form 656 (Offer in Compromise). This is the main application. It identifies the tax years you want to compromise, your proposed offer amount, and your payment terms (lump sum or periodic).

Form 433-A (OIC) for individuals, or Form 433-B (OIC) for businesses. These are the OIC-specific versions of the financial statements we discussed in Chapter 7. They're similar to the regular Form 433 but have additional sections and calculations specific to the OIC formula. Every number must be supported by documentation.

Supporting documentation. Bank statements (usually six months' worth), pay stubs, mortgage statements, vehicle loan statements, proof of living expenses, medical bills, and anything else that supports the financial picture you've presented. The more thorough you are, the smoother the process. Missing documents are the most common reason offers get returned without being considered.

The $205 application fee. This is non-refundable, even if your offer is rejected. However, if you qualify as a low-income taxpayer (adjusted gross income at or below 250% of the federal poverty guidelines for your family size), the fee is waived.

An initial payment. For a lump sum offer, you must include 20% of your proposed offer amount with the application. For a periodic payment offer, you must include the first monthly payment. These payments are non-refundable—if the IRS rejects your offer, the money is applied to your tax debt rather than returned to you. (Low-income taxpayers who qualify for the fee waiver are also exempt from making payments while the offer is being considered.)

You can now submit an OIC application through your **IRS Individual Online Account**, which can streamline parts of the process. You can also mail the complete package to the designated IRS processing center (the address is in the Form 656-B booklet).

All of these forms are bundled together in **Form 656-B, the Offer in Compromise Booklet**, available on IRS.gov. Download it, read it, and follow its instructions carefully. It's detailed but clear.

What Happens After You Submit

Once the IRS receives your OIC package, the timeline looks something like this:

Initial screening (2–4 weeks). The IRS checks whether your application is complete and processable. If anything is missing—a form, a signature, the fee, the initial payment, required supporting documents—they'll return the entire package without considering it. This is not a rejection; it's a "try again." But it does cost you time.

Assignment to an examiner (weeks to months). If your application passes screening, it's assigned to an Offer Examiner at a Centralized OIC unit or, for more complex cases, an Offer Specialist in a Field office. The current backlog means this can take a while. You'll receive a letter with an estimated contact date.

Investigation (several months). The examiner will review your financial statements, verify the information you provided, and may request additional documentation or clarification. They may call you (or your representative) to discuss your situation. This is where the real evaluation happens.

During the investigation, some important things are true:

- The IRS generally suspends other collection activity while your offer is pending. This means no new levies or wage garnishments while they're considering your OIC. However, the IRS may still file a Notice of Federal Tax Lien.
- If you chose the periodic payment option, you must continue making monthly payments during the review period (unless you qualified for low-income certification).
- You must remain in compliance with all tax obligations. If you fail to file a return or miss an estimated payment while your offer is pending, the IRS can return your offer.
- The collection statute is extended while the offer is pending. The ten-year clock pauses during the OIC process and for 30 days after the final determination. This is an important trade-off to understand—filing an OIC gives the IRS more time to collect if the offer fails.

Decision. The examiner will accept, reject, or return your offer. The entire process typically takes 6 to 12 months, though it can stretch longer depending on complexity and the IRS's backlog. If the IRS fails to make a decision within 24 months of receiving your offer, the offer is automatically deemed accepted. (This is rare but has happened.)

If Your Offer Is Accepted

Congratulations. This is the life-changing moment. The IRS agrees to accept your proposed amount as full payment of the compromised tax debt. The remaining balance—potentially tens or even hundreds of thousands of dollars—is forgiven.

But the deal comes with conditions, and they are strict:

Complete the payments on time. If you made a lump sum offer, pay the remaining 80% within five months of the acceptance letter. If you're on periodic payments, continue making them on schedule.

Stay compliant for five years. This is the big one. For five years after acceptance (or until you've paid the offer amount in full, whichever is longer), you must file all required tax returns on time and pay all taxes in full. If you fall out of compliance during this five-year window—if you file late, if you owe on a new return and don't pay it—the IRS can **default your offer**, reinstate the original debt in full, and come after you for the entire amount minus what you've already paid.

Five years of perfect compliance. No exceptions, no grace periods, no second chances. This is the price of the deal, and the IRS enforces it.

No refunds during the offer year. Any tax refund due to you for the year the offer is accepted (and potentially the year it was submitted) will be applied to your tax debt rather than returned to you.

If Your Offer Is Rejected

A rejected offer is not the end of the world. You have the right to appeal the rejection within 30 days by submitting **Form 13711, Request for Appeal of Offer in Compromise.** The appeal goes to the IRS Independent Office of Appeals—the same reasonable people we discussed in Chapter 5.

Appeals Officers reviewing OIC rejections will take a fresh look at your financial situation, the examiner's analysis, and your arguments for why the offer should be accepted. They have the authority to overturn the rejection if they believe the examiner got it wrong or overlooked relevant factors.

If you don't appeal within 30 days, or if the appeal doesn't go your way, you can submit a new OIC in the future if your financial circumstances change. You're not limited to one attempt.

The Scam Warning

The Offer in Compromise has spawned an entire ecosystem of companies—some legitimate, but many not–that aggressively market OIC services to desperate taxpayers. You've heard their ads. They promise to settle your debt for pennies on the dollar. They charge upfront fees of $3,000 to $7,000 or more. And in many cases, the taxpayer was never a realistic OIC candidate in the first place.

Here's how the scam typically works: you call the company, they take your money, they file an OIC application that was doomed from the start, the IRS rejects it, and the company tells you they did their best. Meanwhile, your application fee and initial payment are gone, you've extended the collection statute, and you're out thousands of dollars in fees with nothing to show for it.

Red flags to watch for:

- Any company that promises or guarantees a specific result before reviewing your financial situation in detail
- High-pressure sales tactics or urgency ("Act now before the IRS takes everything!")
- Large upfront fees with no clear explanation of services
- Companies that don't have Enrolled Agents, CPAs, or tax attorneys on staff

- Anyone who tells you the OIC is "easy" or that "everyone qualifies"

If you're considering an OIC, work with a qualified tax professional—an Enrolled Agent, CPA, or tax attorney—who will review your actual financial situation, run the RCP calculation, and give you an honest assessment of whether you're a realistic candidate *before* you spend money on an application. A good professional will tell you the truth, even when the truth is "an installment agreement is a better option for you."

The IRS's OIC Pre-Qualifier Tool on IRS.gov is free and can give you a ballpark answer in minutes. Use it before you call anyone. Help is useful, but when it’s with the right people and for the right circumstances.

Is an OIC Right for You?

The Offer in Compromise is a powerful tool, but it's not the right tool for every job. Here's a quick framework:

An OIC might be right for you if:

- You owe significantly more than you could realistically pay over the next ten years
- Your income is low or moderate relative to your debt
- You have minimal equity in assets
- You're in full compliance with all filing and payment obligations
- You're prepared for a process that takes six months to a year or more
- You can commit to five years of perfect compliance after acceptance

An OIC is probably not right for you if:

- You have significant home equity, retirement savings, or other assets
- Your income is high enough that the RCP formula produces a number close to what you owe
- You're not in filing compliance (fix that first)
- You just need more time to pay (an installment agreement is simpler and faster)
- You're looking for a quick fix (the OIC process is neither quick nor simple)

The Offer in Compromise is the most powerful settlement tool in the IRS's arsenal. It can genuinely change your life if you qualify. But it requires honesty, patience, meticulous documentation, and strict compliance. It is not the lottery ticket the late-night ads make it seem. It's a serious financial negotiation with the federal government, and it rewards people who approach it seriously.

If you think you might qualify, use the Pre-Qualifier Tool, consult a qualified professional, and go in with your eyes open. The deal is there for the people who truly need it.

Chapter 9: Liens, Levies, and Other Scary Words

Imagine you owe your friend Bob a hundred dollars. For weeks, you've been avoiding him at the office. You duck into the supply closet when you see him in the hallway. You take the stairs instead of the elevator. You develop a sudden interest in working from home.

Finally, Bob gets fed up. He walks into the breakroom, stands on a chair, and announces to everyone, "Just so you all know, this person owes me a hundred bucks! I've got dibs on their next paycheck!"

That, in a nutshell, is a lien.

Now, imagine the following Friday, Bob shows up at your office, intercepts your boss before she can hand you your paycheck, snatches it, takes out his hundred dollars, and hands you the change.

That is a levy.

A lien is a public claim. A levy is the forceful collection of that claim. One is a loud, embarrassing declaration. The other is an act of seizure. Both are powerful, both are governed by specific rules, and both can be fought. Understanding the difference—and knowing your rights at each stage—is the entire point of this chapter.

The Lien: A Public Sticky Note of Shame

When you owe taxes and ignore the IRS's initial billing notices, the IRS may go public by filing a **Notice of Federal Tax Lien (NFTL)** in the public records where you live—typically with the county recorder's office or the secretary of state, depending on your state.

This is the equivalent of Bob's breakroom announcement, except the entire world can hear it. A federal tax lien is a public notice to banks, lenders, credit agencies, potential business partners, and anyone else who cares to look that the United States government has a legal claim against all of your property. And when the IRS says "all your property," they mean *all* of it: your house, your car, your bank accounts, your business equipment, and even property you acquire after the lien is filed. If you buy a new car next month, the lien attaches to that car too.

It's important to understand that a lien doesn't mean the IRS has taken anything. They haven't seized your house or emptied your bank account. A lien is a legal *claim*, not a legal *action*. But the consequences of that claim are severe.

Why a Lien Is a Serious Problem

It damages your credit. While federal tax liens no longer automatically appear on consumer credit reports from the three major bureaus (they were removed from credit reports in 2018), the lien is still a matter of public record. Lenders, landlords, and others who conduct background checks or public records searches will find it. In practice, a federal tax lien makes it significantly harder to get a mortgage, a car loan, a business loan, or in some cases, even a rental apartment.

It complicates real estate transactions. Trying to sell your house with a federal tax lien on it is like trying to sell a car with someone else's name on the title. You can't give the buyer a clear title until the IRS's claim is satisfied. In most cases, the lien will need to be paid from the sale proceeds at closing, which may eat into or eliminate your equity.

It affects your business. If you're a business owner, a federal tax lien can show up in searches by potential clients, partners, or vendors. It can affect your ability to get bonded, obtain contracts, or secure business financing.

It's a warning shot. A filed lien is the IRS's way of saying, "We're getting serious." It is very often the step that comes right before they start the levy process—the actual seizure of assets. Think of the lien as the alarm bell. The levy is the fire truck.

How a Lien Happens (And the Warning You'll Get)

The IRS can't just file a lien out of the blue. There's a process, and it gives you advance notice:

1. The IRS assesses the tax and sends you a bill (the initial CP14 notice).
2. You don't pay.
3. The IRS sends a formal demand for payment.
4. You still don't pay (or make arrangements to pay).
5. The IRS files the Notice of Federal Tax Lien.
6. Within five business days of filing, the IRS sends you a **Notice of Federal Tax Lien Filing and Your Right to a Hearing** (Letter 3172).

That last step is critical. Letter 3172 is your notification that the lien has been filed, and it contains something very valuable: your right to request a **Collection Due Process (CDP) hearing.**

Your Lifeline: The CDP Hearing

A Collection Due Process hearing is your legal right to a timeout. It's a formal hearing before the IRS Independent Office of Appeals—the same reasonable people from Chapter 5—where you can challenge the lien and propose an alternative resolution.

You have **30 days** from the date on Letter 3172 to request a CDP hearing by filing **Form 12153, Request for a Collection Due Process or Equivalent Hearing.**

Filing within this 30-day window is crucial for two reasons. First, it gives you the right to go to Tax Court if you disagree with the Appeals Officer's decision, preserving your ability to get judicial review. Second, and more immediately, filing a CDP hearing request generally prevents the IRS from taking further collection action (like levying your wages or bank account) while your hearing is pending.

At the CDP hearing, you can:

- Challenge whether the lien was filed properly
- Propose a payment alternative (installment agreement, Offer in Compromise, CNC status)
- Raise any other relevant issues about the collection action

If you miss the 30-day window, you can still request an "equivalent hearing" within one year, but you lose the right to judicial review in Tax Court and the IRS is not required to pause collection activity. The 30-day window is the one you want.

Getting Rid of a Lien

A federal tax lien doesn't last forever. Here are the ways it goes away:

Pay in full. The most straightforward path. Pay the tax, penalties, and interest in full, and the IRS will release the lien within 30 days.

The collection statute expires. The IRS generally has ten years from the date the tax was assessed to collect. When the statute expires, the lien expires too. The IRS is required to release the lien within 30 days of the expiration.

Offer in Compromise. If the IRS accepts an OIC (Chapter 8), the lien is released once the terms of the offer are satisfied.

Lien discharge. If you're trying to sell a specific piece of property, you can request that the IRS "discharge" the lien from that property—essentially removing the IRS's claim from that one asset so the sale can go through. The IRS may agree if they'll be paid from the proceeds or if the property has no equity.

Lien subordination. This doesn't remove the lien, but it moves the IRS's claim behind another creditor's. This can help if you're trying to refinance your mortgage—the new lender needs to be in first position, and the IRS can agree to step back.

Lien withdrawal. In certain circumstances, the IRS will withdraw the lien entirely—as if it was never filed. This is different from a release (which just says the lien has been satisfied). A withdrawal removes the public record. You may qualify for withdrawal if you've entered into a Direct Debit installment agreement and are current on payments, or if the IRS determines that withdrawing the lien will facilitate collection.

The Levy: The Repo Man Cometh

If the lien is the announcement, the levy is the action. A levy is the IRS reaching into your life and taking your assets to satisfy your tax debt. It is the most powerful collection tool the IRS has, and it's the thing most people are truly afraid of when they think about owing the IRS.

The IRS can levy your bank accounts, your wages, your retirement accounts, your accounts receivable, your rental income, your commissions, and in extreme cases, your personal property and real estate. They don't need to sue you. They don't need a court order.

But (and this is very important) **they cannot do it out of the blue.**

The Warnings You'll Get Before a Levy

By law, the IRS must follow a specific sequence before levying your assets:

1. **Assessment and demand.** The IRS assesses the tax and sends a bill requesting payment.
2. **Failure to pay.** You don't pay or make arrangements to pay.
3. **Final Notice of Intent to Levy and Notice of Your Right to a Hearing.** This is the big one. The IRS must send this notice, usually by certified mail, at least **30 days** before levying. It's the flashing red light and the blaring siren. It tells you exactly what's about to happen and, crucially, gives you another opportunity to request a CDP hearing.

That 30-day window between the Final Notice and the actual levy is your last, best chance to act. Everything we've discussed in this book—installment agreements, CNC status, Offers in Compromise, the Taxpayer Advocate—are all options you can pursue during that window. But you have to act.

Protecting Your Paycheck: The Wage Levy

A wage levy (also called a wage garnishment) is one of the IRS's most commonly used enforcement tools, and it's one of the most disruptive.

When the IRS levies your wages, they send a notice to your employer (Form 668-W) requiring your employer to withhold a large portion of your paycheck and send it directly to the IRS every single pay period. This is not a one-time event. A wage levy is **continuous**, meaning it stays in effect until the debt is paid, the levy is released, or the collection statute expires.

Your employer has no choice. They are legally required to comply.

The law does exempt a certain amount from the levy. You're allowed to keep enough to cover a basic living allowance based on your filing status and number of dependents, as published in IRS Publication 1494. But the exempt amount is calculated using the standard deduction and personal exemptions divided by the number of pay periods, and what's left after the exemption is taken is almost certainly not enough to live on comfortably.

How to get a wage levy released:

- **Set up a payment plan.** Entering into an installment agreement will generally result in the levy being released.
- **Prove economic hardship.** If the levy is preventing you from meeting basic living expenses—rent, food, utilities, medical care—you can contact the IRS and request release based on economic hardship. You'll need to provide financial information (yes, another Form 433 situation).
- **Request CNC status.** If you truly can't afford to pay anything, having your account placed in Currently Not Collectible status will release the levy.
- **Call the Taxpayer Advocate.** If a wage levy is creating an immediate emergency—you can't pay your rent, you can't buy food, you can't afford essential medication—call TAS at 877-777-4778. They can intervene and get a levy released in an emergency.
- **File a CDP hearing request.** If you received the Final Notice within the last 30 days and haven't already requested a hearing, do so immediately. The levy must generally stop while the hearing is pending.

Protecting Your Bank Account: The Bank Levy

A bank levy works differently from a wage levy in one critical way: **it's a one-time snapshot, not a continuous drain.**

When the IRS levies your bank account, they send a notice to your bank. The bank immediately freezes your account and captures whatever balance is in it at that exact moment. The bank then holds that money for **21 days.** On day 22, the bank sends the frozen amount to the IRS.

That 21-day holding period is your critical window. During those 21 days, you can:

- **Prove the funds are exempt.** Certain funds are protected from levy even after they've been frozen. Social Security benefits, certain federal benefit payments (like VA disability), child support payments, and certain other income sources are partially or fully exempt. If the money in your account came from an exempt source, you can notify the bank and the IRS, and the exempt portion must be released.
- **Prove economic hardship.** Same as with a wage levy—if the bank levy is preventing you from meeting basic necessities, contact the IRS immediately.
- **Negotiate a resolution.** The 21 days give you time to contact the IRS and work out a payment plan or other arrangement that would cause the levy to be released.

A bank levy only captures what's in the account at the moment the bank receives the notice. It doesn't capture future deposits. However, the IRS can (and often does) issue multiple bank levies over time. So don't assume that surviving one bank levy means you're safe from the next one.

Other Things the IRS Can Levy

Beyond wages and bank accounts, the IRS has the legal authority to levy:

- **Accounts receivable.** If you're self-employed or run a business, the IRS can contact your clients and redirect payments owed to you.
- **Retirement accounts.** The IRS can levy 401(k)s, IRAs, and other retirement funds. In practice, this is relatively rare for smaller debts, but it's within their power.
- **Rental income.** If you own rental property, the IRS can notify your tenants to send rent payments directly to the IRS.
- **Personal property and real estate.** In extreme cases, the IRS can seize and sell physical property—vehicles, equipment, and even your home. This is

genuinely rare and requires additional approvals within the IRS, but it's not impossible.

- **State tax refunds.** The IRS routinely intercepts state tax refunds to offset federal tax debts.
- **Passport revocation.** This isn't a levy per se, but if you have seriously delinquent tax debt (currently defined as over $62,000 in 2025, adjusted for inflation), the IRS can certify your debt to the State Department, which can deny issuance or renewal of your passport, or in extreme cases, revoke an existing one.

Your Action Plan: What to Do When the Letters Arrive

Let's bring this all together with a practical action plan for each stage of the collection escalation.

If You Receive a Notice of Federal Tax Lien (Letter 3172):

1. **Don't panic.** A lien is a claim, not a seizure. Nothing has been taken from you yet.
2. **Request a CDP hearing within 30 days** by filing Form 12153. This preserves your rights and pauses further collection action.
3. **At the hearing, propose a resolution:** an installment agreement, an Offer in Compromise, CNC status, or whatever option fits your situation.
4. **If you already have a Direct Debit installment agreement**, ask about a lien withdrawal.

If You Receive a Final Notice of Intent to Levy:

1. **This is urgent. Act immediately.** You have 30 days before the levy can begin.
2. **Request a CDP hearing within 30 days** by filing Form 12153. This legally stops the levy while your hearing is pending.
3. **If you've already had a CDP hearing** for this tax period, you can't get another one—but you can request an equivalent hearing (which doesn't stop the levy) or contact the Taxpayer Advocate if you're facing immediate hardship.
4. **Call the IRS** and try to set up a payment arrangement before the 30 days expire. An active installment agreement stops levy action.

If a Levy Has Already Hit Your Wages or Bank Account:

1. **Contact the IRS immediately.** Call the number on the levy notice or the number on your most recent IRS correspondence.

2. **If it's causing economic hardship**, say so clearly and ask for the levy to be released. Be prepared to provide financial information.
3. **If the levied funds are from exempt sources** (Social Security, VA benefits, etc.), contact both the IRS and your bank immediately to request release of the exempt funds.
4. **Call the Taxpayer Advocate** at 877-777-4778 if the levy is creating an emergency situation—inability to pay rent, buy food, or obtain essential medical care. TAS can expedite a levy release.
5. **Set up a payment arrangement.** Once an installment agreement is in place, the IRS will generally release the levy.

The IRS's Heavy Artillery

Liens and levies are the IRS's heavy artillery, but they're governed by strict rules and procedures. There are always warnings. There are always deadlines. And there are always options, even after a levy has already been issued.

The taxpayers who get hurt the worst by liens and levies are the ones who ignore the warnings. Every letter the IRS sends is an opportunity to act: to call, to negotiate, to file a form, to request a hearing, to get a professional involved. The people who engage with the process—even imperfectly, even late—almost always end up in a better position than the people who throw the letters in a drawer and hope for the best.

You now know what a lien is, what a levy is, and how to fight both. You know the deadlines, the forms, and the escape hatches. The IRS's collection tools are powerful, but they're not invincible. They're just tools, wielded by a bureaucracy that would genuinely prefer you set up a payment plan over seizing your checking account.

Don't give them a reason to use the heavy artillery. And if they do, you know how to respond.

Chapter 10: The Underdog's Secret Weapon: The Taxpayer Advocate

Deep within the belly of the beast, there exists an organization whose entire mission is to fight the beast on your behalf.

This is not a joke. This is not a metaphor we're stretching past its breaking point. The Taxpayer Advocate Service (TAS) is an independent body inside the IRS, established by Congress, with the sole statutory purpose of being "Your Voice at the IRS." Their paychecks are signed by the very organization they are often battling. Their office sits inside the building of the agency they are tasked with holding accountable. And their job (their actual, congressionally mandated job) is to help you when the system has failed.

Think of TAS as the IRS's own internal affairs division, but with a wonderful twist: they investigate the IRS to help *you*. They are the good guys, the cavalry, and the official troubleshooters. And unlike a tax attorney or an Enrolled Agent, their services are completely free.

If you remember only one thing from this chapter, let it be this phone number: **877-777-4778.** Write it down. Put it in your contacts. It is the single most powerful phone number a taxpayer in trouble can possess.

What the Taxpayer Advocate Service Actually Does

TAS was created by Congress in 1998 as part of the IRS Restructuring and Reform Act—a sweeping law passed after hearings that revealed widespread abuse and dysfunction within the IRS. Congress decided that taxpayers needed a designated protector on the inside, someone with the authority to intervene when the normal processes broke down.

The head of TAS is the National Taxpayer Advocate, who reports directly to the IRS Commissioner but operates independently. The National Taxpayer Advocate submits annual reports to Congress identifying the most serious problems taxpayers face and recommending legislative and administrative changes. These reports are public, they're remarkably candid about the IRS's failures, and they've been instrumental in driving real reform.

(If you're ever curious about what's broken at the IRS, the National Taxpayer Advocate's annual report is the most honest document the federal government produces on the subject.)

But the day-to-day work of TAS isn't about policy reports. It's about individual taxpayers (people like you) who are stuck, suffering, or being harmed by an IRS action or inaction.

Here's what TAS can do for you:

- **Assign you a dedicated case advocate.** When TAS accepts your case, you get a single point of contact—a real person with a name and a direct phone number—who will work your case from start to finish. No more calling the general line and explaining your situation from scratch to a new person every time.
- **Cut through bureaucratic logjams.** If the IRS has been sitting on your case for months, if they've lost your paperwork, if they keep transferring you to different

departments and nobody takes ownership. TAS can reach into the system and make things move.

- **Stop harmful IRS actions.** If the IRS is about to levy your paycheck or bank account and it's going to leave you unable to pay rent or buy food, TAS can intervene to stop or delay the action.
- **Fix IRS errors.** If the IRS has made a mistake—applied a payment to the wrong year, assessed a tax you don't owe, failed to process a return you filed months ago—TAS can get it corrected.
- **Ensure your rights are respected.** If you believe the IRS has violated your rights under the Taxpayer Bill of Rights, TAS is the enforcement mechanism.

What TAS generally *cannot* do is change the tax law, reduce the amount of tax you legitimately owe, or override a correct IRS determination just because you disagree with it. They're advocates, not magicians. But within the scope of what they can do, which is considerable, they are remarkably effective.

When to Pull the Emergency Cord

TAS isn't for routine questions. They're not the people you call to ask about the mileage rate or find out when your refund is coming. They are the specialists you call when the normal channels have broken down and you're heading toward a genuine crisis.

You may qualify for TAS help if your situation meets one of these criteria:

You're Facing an Immediate Financial Hardship

This is the most common and most urgent reason to contact TAS. If an IRS action (or an IRS failure to act) is causing a significant financial hardship, you qualify for help.

What counts as a significant financial hardship? The kind that threatens your ability to afford the basics:

- The IRS is levying your wages and you can't pay your rent or mortgage
- The IRS has frozen your bank account and you can't buy food or pay for essential medication
- Your business is about to shut down because the IRS is seizing accounts receivable
- You're about to lose your home because the IRS won't release a lien for a pending sale
- The IRS is about to revoke your passport and you have imminent international travel for work

If the threat is immediate—not hypothetical, not next month, but *right now*—TAS can and will move fast. They have the authority to issue emergency orders that stop IRS actions in their tracks.

The IRS Has Dropped the Ball

You've been trying to resolve your problem through normal channels—calling the phone number on your notice, writing letters, filing forms—but the IRS hasn't responded. You've waited longer than their own guidelines say you should have to wait (generally 30 days for a response), and you're stuck in a bureaucratic loop where nobody is taking ownership of your case.

This has become an increasingly common reason for TAS intervention in recent years. The staffing cuts we've discussed throughout this book have left the IRS struggling to process cases, answer phones, and respond to correspondence in a timely manner. If you've been diligently trying to work within the system and the system has failed you, TAS is your next call.

The System Isn't Working as It Should

You believe that an IRS system, process, or procedure isn't functioning correctly, and it's causing you harm. Maybe the IRS keeps sending you notices for a debt you've already paid. Maybe their system isn't recognizing a payment plan you set up months ago. Maybe you filed an amended return and it's been sitting in limbo for over a year with no action.

These are systemic problems, and TAS was designed to address them.

You're Facing a Threat to Your Rights

The Taxpayer Bill of Rights (which we'll unpack in Chapter 13) guarantees you ten fundamental rights in your dealings with the IRS. If you believe one of those rights has been violated—if the IRS isn't giving you the information you're entitled to, isn't allowing you to appeal a decision, or isn't treating your case fairly—TAS is the enforcement mechanism for those rights.

The Ultimate Trump Card: The Taxpayer Assistance Order

In a true emergency, a TAS advocate has a power that is almost mythical in the world of government bureaucracy: they can issue a **Taxpayer Assistance Order (TAO).**

A TAO is the bureaucratic equivalent of a referee throwing a penalty flag, blowing the whistle, and stopping the entire game. It is a formal order, issued under the authority of the National Taxpayer Advocate, that can compel the IRS to:

- **Cease a specific action** — stop a levy, halt a collection activity, pause an enforcement proceeding
- **Take a specific action** — release a lien, process a return, issue a refund that's been wrongly held
- **Refrain from taking an action** — prevent the IRS from moving forward with a planned enforcement step that would cause harm

A TAO is used when a taxpayer is on the brink of significant financial harm because of an IRS action (or failure to act), and normal resolution channels aren't working fast enough. It's the emergency brake, and it's powerful.

The IRS can appeal a TAO internally, and the National Taxpayer Advocate can be overridden by the IRS Commissioner or Deputy Commissioner, but this is rare and requires a formal written explanation. In practice, TAOs are respected and effective.

You don't request a TAO directly. Your TAS advocate determines whether one is warranted based on the facts of your case. But knowing it exists gives you a sense of the real authority TAS carries.

How to Contact TAS and Get Their Attention

Option 1: The Phone Call

The most direct route is the telephone. Call **877-777-4778.** The hours are Monday through Friday, 7:00 a.m. to 7:00 p.m. local time.

When you call, you'll be asked some basic questions about your situation to determine if you meet the criteria for TAS assistance. Be prepared to explain:

- What your tax problem is
- What you've already done to try to resolve it (dates of calls, letters sent, forms filed)
- What hardship the problem is causing you
- Your contact information and relevant tax information (SSN, tax years involved)

Be calm, be honest, and be specific about the hardship. "I'm stressed about my taxes" is understandable but vague. "The IRS levied my bank account on Tuesday and I can't pay my rent, which is due on the first" is specific and actionable.

Option 2: The Formal Request (Form 911)

You can also reach TAS by filling out and submitting **Form 911, Request for Taxpayer Advocate Service Assistance.** The form number alone tells you exactly what it's for.

Form 911 asks for your basic information, a description of your problem, a description of the hardship it's causing, and what you've already done to try to resolve it. You can submit it by mail, fax, or in person at a local Taxpayer Advocate office. You can find your local TAS office through the TAS website.

Form 911 is useful if you prefer to put your request in writing, if you want to include supporting documentation with your initial request, or if you're having trouble getting through on the phone (which, given current wait times, is a legitimate concern).

Option 3: The Digital Door

The TAS website at **TaxpayerAdvocate.IRS.gov** is genuinely useful and worth bookmarking. It includes:

- A tool to help you determine if you qualify for TAS assistance
- Information about your local TAS office, including address and phone number
- The ability to submit a case online
- Educational resources about taxpayer rights
- The National Taxpayer Advocate's annual reports to Congress (for the policy wonks among you)

Option 4: Through Your Congressional Representative

You can contact your U.S. Senator or Representative's office and ask them to refer your case to TAS. Every congressional office has caseworkers who handle constituent issues with federal agencies, and an IRS tax problem is one of the most common issues they deal with. A congressional referral doesn't guarantee TAS will accept your case, but it can get attention and add a sense of urgency.

What Happens After TAS Accepts Your Case

Once TAS determines that your situation meets their criteria, here's what you can expect:

You get assigned a case advocate. This is your person. They will give you their name, their direct phone number, and their employee ID. You won't have to call a general queue and re-explain your situation. You have a direct line to someone who knows your case.

Your advocate investigates. They'll review your IRS records, contact the relevant IRS department, and work to understand what went wrong and what needs to happen to fix it.

Your advocate acts. Depending on your situation, they might:

- Contact the IRS collection unit to get a levy released
- Push the processing of a stuck return or amended return
- Facilitate the setup of a payment plan that the normal channels wouldn't process
- Correct an error in your account
- Issue a TAO in emergency situations

You stay in the loop. Your advocate should keep you updated on the progress of your case. If you haven't heard from them in a while, call their direct number. They're juggling cases, but you have the right to know what's happening with yours.

Resolution. TAS works toward resolving your case, which might mean stopping a harmful action, correcting an error, facilitating an agreement, or sometimes simply getting the IRS to do what it was supposed to do in the first place. The timeline varies—simple cases might be resolved in weeks, complex ones can take months.

A Note About the Current State of TAS

We'd be doing you a disservice if we didn't acknowledge that TAS, like the rest of the IRS, has been affected by the staffing challenges of recent years. The National Taxpayer Advocate has been vocal about the impact of budget cuts and workforce reductions on TAS's ability to serve taxpayers. Case inventories have grown, response times have lengthened, and advocates are juggling more cases than ever.

This doesn't mean you shouldn't contact TAS. You absolutely should if your situation warrants it. But it does mean you should be prepared for the possibility that the process takes longer than you'd like, and that persistence may be required. If you're not getting timely responses from your assigned advocate, escalate within TAS. Ask to speak with their manager. The squeaky wheel principle applies here.

It's also worth noting that the National Taxpayer Advocate's annual reports to Congress have been increasingly urgent in their warnings about the impact of IRS funding cuts on taxpayer services. TAS is, in a very real sense, fighting for its own ability to fight for you.

That's the strange reality of an organization that exists to protect taxpayers from the agency that funds it.

Low-Income Taxpayer Clinics: TAS's Cousin

While we're talking about free help, we should mention another resource that many people don't know about: **Low-Income Taxpayer Clinics (LITCs).**

LITCs are independent organizations (not part of the IRS) that provide free or low-cost legal representation to taxpayers who are dealing with IRS disputes and can't afford professional help. They're funded in part by IRS grants but operate independently, often through law schools, legal aid societies, and nonprofit organizations.

LITCs can help with:

- Audit representation
- Appeals
- Collection disputes
- Offers in Compromise
- Tax Court cases
- Issues affecting taxpayers who speak English as a second language

To qualify, your income generally needs to be at or below 250% of the federal poverty level. You can find an LITC near you through the IRS website (search "Low Income Taxpayer Clinic" on IRS.gov) or by calling the IRS at 800-829-3676 and requesting **Publication 4134, Low Income Taxpayer Clinic List.**

If you can't afford a tax professional and your situation is too complex to handle alone, an LITC may be exactly what you need. They do excellent work, and they're staffed by attorneys and Enrolled Agents who genuinely care about helping people who are being overwhelmed by the system.

Your Rights, Your Advocate

Ultimately, the Taxpayer Advocate Service exists because Congress recognized a fundamental truth: the tax system is so vast, so powerful, and so complicated that ordinary citizens sometimes need a designated protector on the inside.

The existence of TAS is a quiet admission by the government that its own machinery can malfunction, that its own processes can harm the people they're supposed to serve, and that someone needs to be standing in the gap when that happens.

TAS is not perfect. It's understaffed, it's overworked, and it can't solve every problem. But it is real, it is free, and it has genuine authority to intervene when the system fails you.

You may never need the Taxpayer Advocate. Most taxpayers won't. But knowing that TAS exists, knowing what they can do, and knowing how to reach them changes the entire psychological landscape of dealing with the IRS. You are not alone in the zoo. There is a zookeeper, and the zookeeper is on your side.

877-777-4778. Don't forget it.

Chapter 11: For the Self-Employed & Small Biz Warriors

Welcome to the chapter written specifically for the brave, the bold, and the occasionally disorganized: the self-employed, the freelancers, the gig workers, the side hustlers, the small business owners, and the independent contractors of America.

You are the backbone of this economy, and you are also, statistically speaking, the people most likely to get into a fight with the IRS. Not because you're dishonest (most of you aren't) but because self-employment creates a perfect storm of tax complexity that the traditional W-2 world simply doesn't face. You're your own payroll department, your own accounting firm, and your own HR office, often simultaneously, often at midnight, and often while also doing the actual work that pays the bills.

This chapter is about the unique tax traps that catch self-employed people, the new breaks that can save you real money, and the one cardinal sin that can land you in genuinely serious trouble.

The Two Cardinal Sins of Self-Employment

Every tax professional has a mental list of the mistakes that make them wince. For self-employed clients, two sins tower above all others.

Cardinal Sin #1: Not Paying Estimated Taxes

When you work a regular W-2 job, your employer withholds taxes from every paycheck and sends them to the IRS on your behalf. You never see the money. It vanishes before it hits your bank account. The system is designed so that by the time you file your return in April, you've already paid most of what you owe.

When you're self-employed, nobody withholds anything. Every dollar your clients pay you lands in your account intact, looking fat and happy and available. And every dollar of it is taxable—not just for income tax, but for self-employment tax (the self-employed person's version of Social Security and Medicare, currently 15.3% on the first $176,100 of net earnings, plus 2.9% Medicare on everything above that).

The IRS expects you to pay as you go, just like a W-2 employee. The difference is that instead of your employer doing it for you, you're expected to do it yourself by making **quarterly estimated tax payments** using Form 1040-ES. The due dates are:

- **April 15** — for income earned January through March
- **June 15** — for income earned April through May
- **September 15** — for income earned June through August
- **January 15 of the following year** — for income earned September through December

If you don't make these payments (or if you make them but they're too small) the IRS will hit you with an **Estimated Tax Penalty** when you file your return. It's not enormous (it's essentially interest on the underpayment), but it adds up, and it's entirely avoidable.

More importantly, many self-employed people don't just underpay their estimates, they pay nothing all year long and then face a crushing tax bill in April that they can't afford. This is the number one way self-employed people end up owing the IRS. Not fraud, not shady deductions. Just the simple, human failure to set money aside throughout the year.

The fix is simple, if not easy: open a separate savings account and transfer a percentage of every payment you receive into it. The exact percentage depends on your total income and tax bracket, but a common rule of thumb is 25% to 30% of your net self-employment income. Don't touch this money. Pretend it doesn't exist. When estimated tax time comes around, the money is there. When April comes around, the money is there.

This one habit—separate account, automatic transfers—prevents more IRS problems than any accountant, any tax software, and any chapter in any book ever could.

Cardinal Sin #2: Mishandling Payroll Taxes (The Trust Fund Trap)

If you have employees, this section may be the most important thing you read in this entire book. Please pay close attention, because mishandling payroll taxes is the single fastest way to turn a tax problem into a personal catastrophe.

When you hire employees, you withhold federal income tax, Social Security, and Medicare from their paychecks. Here's the critical legal concept: **that money was never yours.** From the moment you withhold it, it belongs to the government. You are holding it "in trust" for the IRS. Your job is to deposit it on time using the Electronic Federal Tax Payment System (EFTPS) and report it on your quarterly Form 941.

When a business falls behind on these deposits, and it happens with depressing regularity, especially during cash flow crunches, the IRS treats it differently from any other type of tax debt. They treat it as theft. You took money that belonged to the government and used it for something else.

The Trust Fund Recovery Penalty (TFRP) is the IRS's weapon for this scenario. Under IRC Section 6672, the IRS can assess the full amount of the unpaid employee withholdings (the "trust fund" portion—the employees' share of Social Security, Medicare, and income tax) against any "responsible person" who willfully failed to collect, account for, or pay over the trust fund taxes.

The key words are "responsible person" and "willfully."

A responsible person is anyone with the authority to direct the payment of the business's bills. This isn't limited to the business owner. It can include corporate officers, partners, LLC members, bookkeepers, and even outside accountants or payroll services if they had check-signing authority. If you had the power to decide which bills got paid and you chose to pay the rent and the vendors instead of the IRS, you're a responsible person.

"Willfully" doesn't mean you intended to defraud the government. It just means you knew the taxes were due and consciously chose not to pay them. Paying other creditors before the IRS satisfies this standard.

Unlike most business debts, the TFRP pierces the corporate veil. If your business is an LLC, S-Corp, or C-Corp, the IRS can (and regularly does) reach past the business entity and assess the penalty directly against you as an individual. It can't be discharged in bankruptcy (in most cases). It follows you. And it can be assessed against multiple responsible persons, meaning both you and your business partner can each be on the hook for the full amount.

The IRS investigates potential TFRP cases by sending a Revenue Officer to interview the people involved and gather evidence about who had authority over the business's finances. This investigation uses **Form 4180, Report of Interview to Determine Trust Fund Recovery Penalty Responsibility.** If the RO determines you're a responsible person, you'll receive a **Letter 1153, Trust Fund Recovery Penalty Letter**, which proposes the assessment and gives you 60 days to appeal.

If you receive a Letter 1153, do not ignore it. You have 60 days to file an appeal. If you miss the deadline, the penalty is assessed and collection begins. Get a tax professional—preferably a tax attorney—involved immediately.

The prevention is obvious: pay your payroll taxes first. Before the rent. Before the vendors. Before everything. If your business is in a cash flow crisis and you can't make payroll tax deposits, that is the moment to seek help—from a tax professional, from a lender, from anyone. Do not "borrow" from the trust fund to cover other expenses. There is no version of this story that ends well.

The New Tax Breaks You Need to Know About

The One Big Beautiful Bill Act, signed on July 4, 2025, delivered several significant changes that directly affect self-employed and small business people. Some of these are genuinely valuable. Let's walk through them.

No Tax on Tips (2025–2028)

If you work in an occupation that customarily and regularly receives tips, you may be eligible for a new federal income tax deduction of up to **$25,000 per year** on qualified tip income.

This applies to both employees and self-employed individuals—servers, bartenders, hairstylists, rideshare drivers, delivery workers, tattoo artists, and dozens of other occupations across eight industry categories that the Treasury Department has identified as tip-eligible. The full list includes 68 occupations ranging from the expected (food service, hospitality) to the less obvious (digital content creators, parking attendants, tattoo artists).

Key details:

- **Qualified tips** are voluntary cash or charged tips from customers, including pooled tips. Mandatory service charges (like an automatic 18% gratuity for large parties) do *not* qualify—those are treated as regular wages.
- **The deduction phases out** starting at $150,000 MAGI ($300,000 for joint filers), reducing by $100 for every $1,000 above the threshold.
- **For self-employed individuals**, the deduction cannot exceed your net income from the business in which you earned the tips.
- **Workers in Specified Service Trades or Businesses (SSTBs)** under IRC Section 199A are not eligible. This excludes fields like healthcare, law, accounting, consulting, financial services, and performing arts. (Yes, performing

arts—which means a musician who earns tips at a bar gig may not qualify. The rules here are still being refined through regulations.)

- **You must have a Social Security number** on your return, and married filers must file jointly.
- **2025 is a transition year.** Your W-2 or 1099 for 2025 won't have a separate box for qualified tips. You'll need to use your pay stubs, tip logs, or one of several IRS-approved safe harbor methods to calculate the deduction. Keep good records.

This deduction is above the line, meaning you get it whether or not you itemize. For a server or bartender earning $20,000–$25,000 in tips, this could mean $3,000 to $5,000+ in tax savings. It's real money.

No Tax on Overtime (2025–2028)

If you're an employee who earns overtime pay required under the Fair Labor Standards Act (FLSA), you can deduct the premium portion of that overtime—the "half" in "time-and-a-half"—up to **$12,500 per year** ($25,000 for married filing jointly).

This one is more relevant for employees than for most self-employed people (since self-employed people don't typically earn FLSA overtime). But if you're an employee who also has a side business (a common situation) the overtime deduction can reduce your overall tax burden.

Key details:

- Only the FLSA-mandated premium qualifies. State-mandated daily overtime or contractual overtime bonuses generally do not.
- Same income phaseout as tips: $150,000 MAGI ($300,000 joint).
- Workers exempt from FLSA overtime (executives, administrative, professional, outside sales, and highly compensated employees) are not eligible.
- Same transition-year rules for 2025: your W-2 won't separately report qualified overtime, so you'll need pay stubs and records.

The QBI Deduction Is Now Permanent

The Qualified Business Income (QBI) deduction under Section 199A, which allows eligible self-employed individuals and pass-through business owners to deduct up to 20% of their qualified business income, was set to expire after 2025. The OBBBA made it permanent.

This is a big deal if you file a Schedule C, own an S-Corp, or are a partner in a partnership. The QBI deduction can shave thousands off your tax bill. The rules are complex (there are income limitations, SSTB restrictions, and W-2 wage tests for higher earners), but the core concept is simple: if you're self-employed and your business income is under $191,950 ($383,900 for joint filers in 2025), you can deduct 20% of your net business income off the top.

If the QBI deduction had expired, self-employed people would have faced a significant tax increase starting in 2026. It didn't. Thank the OBBBA.

The 1099-K Threshold Reset

If you sell goods or services through third-party platforms like PayPal, Venmo, Etsy, eBay, or any gig economy app, this one matters to you.

The American Rescue Plan Act of 2021 dropped the 1099-K reporting threshold to $600 with no minimum transaction count, which would have meant that platforms had to report even small amounts to the IRS. After years of delays and confusion, the OBBBA retroactively reversed this change and permanently restored the original threshold: **$20,000 in gross payments AND more than 200 transactions.**

This means if you're a casual seller on eBay or a freelancer who processes payments through PayPal, you're much less likely to receive a 1099-K than you would have been under the old rules.

But (and this is critical) the higher reporting threshold does not change your tax obligations. You are still legally required to report all taxable income, regardless of whether a 1099-K is issued. The $20,000/200 threshold is a reporting rule for the payment platforms, not an income exclusion for you. If you earned $10,000 selling handmade jewelry on Etsy and no 1099-K was issued, you still owe tax on that income.

Also note: some states have their own, lower 1099-K thresholds. And payment card transactions (credit cards, debit cards) have *no* minimum threshold. Your payment processor must report those regardless of amount.

100% Bonus Depreciation Is Back (and Permanent)

Under the original Tax Cuts and Jobs Act, businesses could write off 100% of the cost of qualifying equipment and property in the year it was purchased. That was phasing down—80% in 2023, 60% in 2024, 40% in 2025. The OBBBA restored 100% bonus depreciation retroactively to January 20, 2025, and made it permanent.

If you're buying equipment, vehicles, computers, or other qualifying business assets, you can deduct the full cost in the year of purchase. For small businesses making capital investments, this is a significant cash flow benefit.

Larger Standard Deduction

The OBBBA made the larger standard deduction from the TCJA permanent: **$15,750 for single filers, $31,500 for married filing jointly** in 2025, indexed for inflation going forward. If you don't itemize, you automatically benefit from this.

Self-Employment Tax: The Unpleasant Surprise

Most new self-employed people are blindsided by self-employment tax. They understand income tax. They budget for it (hopefully). But then they file their first return and discover an *additional* tax that they've never seen before, and it feels like getting mugged in an alley by arithmetic.

Self-employment tax is 15.3% of your net self-employment earnings. That's 12.4% for Social Security (on the first $176,100 of earnings in 2025) and 2.9% for Medicare (on all earnings, with no cap). If your net earnings exceed $200,000 ($250,000 for joint filers), an additional 0.9% Medicare surtax kicks in.

When you work a W-2 job, your employer pays half of this tax and you pay the other half. When you're self-employed, you pay *both* halves. The full 15.3%.

The only consolation is that you get to deduct half of your self-employment tax from your income when calculating your adjusted gross income. This is an above-the-line deduction on Schedule SE. It doesn't make the tax go away, but it reduces the income tax portion of your bill.

For many self-employed people, self-employment tax is actually *larger* than their income tax. A freelancer earning $60,000 in net business income will owe roughly $8,478 in self-employment tax before they even get to income tax. This is often the source of the "I owe HOW MUCH?" reaction at tax time.

The fix, again, is quarterly estimated payments. Your estimates should cover both income tax and self-employment tax. The IRS worksheet in Form 1040-ES will walk you through the calculation, or your tax software will handle it.

The Home Office Deduction: A Perennial Minefield

The home office deduction is one of the most commonly claimed, and most commonly botched, deductions for self-employed people. It's also a known audit trigger, which makes getting it right especially important.

To qualify, you need a space in your home that is used **regularly and exclusively** for business. This is the IRS's favorite word pair, and they mean it literally. If your "home office" is the kitchen table where you also eat dinner, it doesn't qualify. If it's a corner of the bedroom where your kids do homework, it doesn't qualify. It must be a dedicated space used only for business.

The good news is that it doesn't have to be an entire room. A clearly defined area of a room can qualify, as long as it's exclusively used for business.

You have two options for calculating the deduction:

The Simplified Method. Multiply the square footage of your office space (up to 300 square feet) by $5. Maximum deduction: $1,500. It's easy, requires no record-keeping of actual expenses, and is audit-friendly. For many people, this is the right choice.

The Regular Method. Calculate the percentage of your home's total square footage that your office occupies, and apply that percentage to your actual home expenses—mortgage interest or rent, utilities, insurance, repairs, depreciation. This typically produces a larger deduction but requires meticulous record-keeping and can complicate your tax situation (especially regarding depreciation recapture if you sell your home).

Take a photo of your office space, showing it set up for business. Keep it in your tax file. If you're ever audited, a simple photograph showing a desk, computer, filing cabinet, and nothing else is powerful evidence of exclusive use.

Record-Keeping: Your Shield and Your Sword

If there is one theme that runs through every chapter of this book, it's this: records win battles. For the self-employed, records are not just important—they are existential.

The IRS puts the burden of proof on you. If you claim a business deduction, *you* have to prove it was legitimate. Not the IRS. You. And "I'm pretty sure I spent that" is not proof.

Here's the minimum you should be doing:

Separate your finances. Open a business bank account and a business credit card. Run every business transaction through these accounts. Never commingle personal and business expenses. This single step eliminates the most common problem auditors find: a tangled mess of personal and business spending that's impossible to untangle.

Keep receipts. For every business expense over $75 (and ideally for everything), keep a receipt. Digital is fine. There are apps that photograph and organize receipts. The IRS accepts electronic records as long as they're legible and complete. What matters is the date, amount, vendor, and business purpose.

Log your mileage. If you use your personal vehicle for business, keep a mileage log. Either a paper logbook or an app that tracks your trips automatically. Record the date, destination, business purpose, and miles driven. The IRS's standard mileage rate for 2025 is 70 cents per mile, so those miles add up fast. But the deduction is only as good as your log. An estimated round number ("I drove about 10,000 business miles") will not survive an audit. A detailed log with individual trips will.

Track your income from every source. This includes payments that don't come with a 1099. Remember, just because a client didn't send you a 1099-NEC doesn't mean the income isn't taxable. If you were paid, you owe tax on it.

Keep records for at least three years from the date you file the return (or the due date, whichever is later). If you understate income by more than 25%, keep them for six years. If you're the cautious type, keep them for seven.

When Things Go Wrong: Common IRS Issues for the Self-Employed

The Misclassification Trap

If you hire people to do work for your business, the IRS cares deeply about whether you classify them as employees or independent contractors. Misclassification (treating an employee as a contractor to avoid payroll taxes) is one of the IRS's top enforcement priorities.

The distinction matters because employees come with obligations: payroll tax withholding, unemployment insurance, workers' compensation, and employer-paid FICA contributions. Independent contractors come with a 1099-NEC and none of those obligations. The temptation to classify everyone as a contractor is obvious, and the IRS knows it.

The IRS uses a multi-factor test (based on behavioral control, financial control, and the type of relationship) to determine whether a worker is truly independent. If the IRS reclassifies your contractors as employees, you'll owe all the back payroll taxes, plus penalties and interest, and potentially the Trust Fund Recovery Penalty we discussed above.

If you control *how* the work is done (not just *what* work is done), if you provide the tools and set the hours, if the worker only works for you, these are all indicators that the worker is an employee, not a contractor.

The Schedule C Audit

Self-employed individuals who file a Schedule C are audited at higher rates than W-2 employees, especially when the return shows high expenses relative to income, large cash transactions, or losses used to offset other income.

The IRS has Audit Technique Guides for dozens of industries (we discussed these in Chapter 4). If you're self-employed in a cash-intensive business—restaurants, salons, construction, auto repair—the IRS knows exactly where to look and what questions to ask. Your best defense is clean books, separate accounts, documented expenses, and an honest return.

If your Schedule C consistently shows a loss year after year, the IRS may also challenge whether your activity is a business at all or merely a hobby. Under the hobby loss rules, if your activity doesn't show a profit in three out of five consecutive years, the IRS may presume it's a hobby and disallow your losses. This doesn't mean a startup that loses money for two years is automatically in trouble, but it does mean you need to be able to demonstrate a genuine profit motive.

Choosing the Right Business Structure

This isn't a tax preparation guide, but we'd be remiss not to mention that your choice of business structure can have a significant impact on your tax situation and your personal liability.

Sole Proprietorship (Schedule C). The simplest structure. All income and expenses flow through your personal return. But you pay self-employment tax on all net earnings, and there's no legal separation between you and the business.

S-Corporation. Once your net self-employment income reaches a certain level (rules of thumb vary, but many professionals suggest somewhere around $50,000–$60,000 in net earnings), electing S-Corp status can save you money on self-employment tax. As an S-Corp owner-employee, you pay yourself a "reasonable salary" (subject to payroll taxes) and take the rest as distributions (not subject to self-employment tax). The savings can be substantial, but the added complexity and costs (payroll processing, additional tax filings) may not be worth it at lower income levels.

LLC. A Limited Liability Company provides legal protection (your personal assets are generally shielded from business debts) but is a pass-through entity for tax purposes. An LLC can elect to be taxed as a sole proprietorship, partnership, or S-Corp, giving you flexibility. If you're self-employed and don't have an LLC, talk to a professional about whether it makes sense for your situation. The liability protection alone can be worth it.

The right structure depends on your income level, your risk exposure, and your willingness to deal with additional paperwork. A tax professional can run the numbers for your specific situation and tell you whether a structural change would save you money.

The Big Picture for the Self-Employed

Being self-employed means being your own boss, your own accountant, and your own compliance department. It means more freedom and more responsibility, especially when it comes to taxes.

The new provisions from the OBBBA are genuinely helpful: the tips deduction, the overtime deduction, the permanent QBI deduction, the restored 1099-K threshold, and the return of full bonus depreciation all put real money back in the pockets of self-employed people and small business owners.

But the fundamentals haven't changed. Pay your estimated taxes quarterly. Never, ever borrow from payroll tax deposits. Keep your books clean and your records organized. Separate your personal and business finances. And if you have employees, treat those trust fund taxes like they're radioactive, because to the IRS, mishandling them is about as serious as it gets.

The self-employed life is a wonderful, chaotic, sometimes terrifying adventure. With good habits and the right knowledge, the tax side of it doesn't have to be the terrifying part.

Chapter 12: Let's Talk About Penalties (and How to Get Rid of Them)

If the tax you owe is the main course, penalties are the dessert you didn't order, didn't want, and are now expected to pay for anyway. They show up on your bill uninvited, they're often larger than you'd expect, and they have a way of making a bad situation feel dramatically worse.

But here's the thing about penalties that most people don't realize: they are often negotiable. Unlike the tax itself (which is what it is) and interest (which accrues by law and is almost impossible to remove), penalties exist in a zone where the IRS has genuine discretion. They can be reduced. They can be eliminated. And in one glorious scenario that we're going to spend a good chunk of this chapter on, they can be wiped clean with a single phone call.

Let's start by understanding what you're dealing with.

The Penalty Menagerie: A Field Guide

The IRS has a truly impressive collection of penalties. Over 150 different types at last count. Most of them are obscure enough that you'll never encounter them. But a handful show up with such regularity that they deserve a proper introduction.

The Failure to File Penalty

We covered this in Chapter 3, but it's important enough to revisit. If you don't file your tax return by the due date (including extensions), the IRS charges **5% of your unpaid tax for each month or partial month** the return is late, up to a maximum of **25%**.

This is the most expensive common penalty, and the math is aggressive by design. If you're five months late, you've already hit the ceiling. The IRS wants you to file, and this penalty is their way of shouting it from the rooftops.

If you file more than 60 days late, there's also a minimum penalty: the lesser of $510 (for returns due in 2025) or 100% of the tax due. So even if you only owe $300, you'll still get hit with a $300 penalty for filing very late.

This penalty is based on unpaid tax, not total tax. If your withholding or estimated payments covered everything you owed, the penalty is zero—even if you file late. This is another reason to make sure your withholding and estimates are on target.

The Failure to Pay Penalty

This one kicks in when you file your return on time (or file late) but don't pay the full amount due. The rate is **0.5% of the unpaid tax per month**, up to a maximum of **25%**.

It's much less severe than the Failure to File penalty (one-tenth the rate), which is why we keep hammering the "file even if you can't pay" message throughout this book. Filing on time and paying late is dramatically cheaper than doing both late.

If both penalties apply for the same month, the Failure to File penalty is reduced by the Failure to Pay amount, so the combined penalty doesn't exceed 5% per month for the first five months.

One useful detail: if you set up an Installment Agreement (Chapter 7), the Failure to Pay penalty rate drops from 0.5% to **0.25% per month** while the agreement is active. It doesn't eliminate the penalty, but it cuts it in half.

The Estimated Tax Penalty

If you're self-employed or have significant income that isn't subject to withholding, and you don't make adequate quarterly estimated payments, you'll get hit with the Estimated Tax Penalty (technically called the "Underpayment of Estimated Tax" penalty, calculated on Form 2210).

This penalty is essentially interest on what you should have paid during the year but didn't. The rate is tied to the federal short-term interest rate plus 3 percentage points—currently around **7% annually**. It's calculated quarter by quarter, so you can owe a penalty for one quarter but not another.

You can generally avoid this penalty if you pay at least:

- **90% of your current year's tax liability** through withholding and estimates, or
- **100% of your prior year's tax liability** (110% if your AGI was over $150,000)

The prior-year safe harbor is the easier target for most people. If you owed $10,000 last year and you pay $10,000 in estimates this year, you're penalty-free regardless of what your actual bill turns out to be.

The Accuracy-Related Penalty

This is the penalty the IRS assesses when they believe you got something wrong on your return—not through fraud, but through negligence or a "substantial understatement" of tax.

The rate is a flat **20% of the underpayment** attributable to the error. It's triggered in two main scenarios:

Negligence. You didn't make a reasonable attempt to comply with the tax law. This could mean failing to keep adequate records, making careless errors, or taking positions on your return that have no reasonable basis.

Substantial understatement. You understated your tax by the greater of 10% of the correct tax or $5,000. This often comes up in audits when the IRS disallows significant deductions.

The defense against this penalty is showing that you had **reasonable cause** for the position you took and that you acted in **good faith**. If you relied on the advice of a qualified tax professional, followed the instructions on the form, or had a reasonable interpretation of an ambiguous rule, you have a defense. We'll talk more about reasonable cause below.

The Fraud Penalty

This is the nuclear option. If the IRS determines that any part of your underpayment was due to fraud, the penalty is **75% of the fraudulent portion** of the underpayment. Unlike the accuracy penalty, where the IRS has the burden of proof, once the IRS establishes fraud, the burden shifts to *you* to prove which portions of the underpayment were not fraudulent.

Fraud means intentional wrongdoing—not a mistake, not carelessness, but a deliberate attempt to evade tax. Think fake deductions, hidden income, fictitious expenses, double sets of books. The IRS doesn't assess this lightly, and if they do, you need a tax attorney immediately.

For the vast majority of readers, the fraud penalty is not your problem. We mention it for completeness and as a reminder of why honesty (even when it's uncomfortable) is always the right policy on your tax return.

The Magic Wand: First-Time Penalty Abatement

Now we arrive at the single most valuable piece of penalty-related information in this entire guide. If you take nothing else from this chapter, take this.

The IRS has an administrative policy called **First-Time Penalty Abatement (FTA)**, and it is, for eligible taxpayers, the closest thing to a magic wand that exists in the tax world.

Here's how it works: if you have a **clean compliance history for the past three years**, the IRS will remove the Failure to File penalty, the Failure to Pay penalty, or both—in full—for a single tax period. No detailed explanation needed. No sob story required. No documentation of hardship. You just have to ask.

Who Qualifies?

The eligibility requirements are straightforward:

1. **You haven't previously been required to file a return, or you have no prior penalties** (other than an estimated tax penalty) for the three tax years preceding the year in question.
2. **You've filed all currently required returns** (or filed valid extensions).
3. **You've paid, or arranged to pay, any tax due.** This includes having an active installment agreement.

That's it. If you've been a good citizen for three years—filed on time, paid on time, no penalties—and then you have one bad year, the IRS will forgive the penalties for that year.

How Much Can This Save You?

The savings can be substantial. If you owed $20,000 in tax and filed six months late without paying, your Failure to File penalty alone would be $5,000 (25% of $20,000). The Failure to Pay penalty would add more on top of that. First-Time Penalty Abatement can wipe all of that clean.

Interest will still accrue on the underlying tax (interest can almost never be abated), but the penalty itself (which is often the most painful part of the bill) disappears.

How to Ask for It

This is the beautiful part: you can often get FTA with a single phone call.

Call the IRS at the number on your notice (or 800-829-1040), tell the agent you'd like to request a **First-Time Penalty Abatement** for the tax year in question, and they will check your compliance history on the spot. If you qualify, they'll remove the penalty while you're on the phone. The whole process can take less than ten minutes.

You can also request FTA in writing by sending a letter to the IRS service center that issued the penalty, or by checking the appropriate box on **Form 843, Claim for Refund and Request for Abatement.** But for most people, the phone call is faster and easier.

The Strategic Move

Here's a piece of advice that tax professionals know but most taxpayers don't: **if you have penalties for multiple years, be strategic about which year you use FTA on.** You only get one shot per clean three-year cycle. If you have a $500 penalty for one year and a $5,000 penalty for another, use FTA on the $5,000 year. You can seek relief for the smaller penalty through other means (like reasonable cause, which we'll cover next).

Also, if the IRS hasn't yet assessed a penalty but you know one is coming (for example, you're filing a late return), you can proactively request FTA when you file. Include a note with your return saying: "I am requesting First-Time Penalty Abatement under IRM 20.1.1.3.6.1 for the Failure to File penalty."

FTA After You've Already Paid

If you already paid a penalty and later realize you would have qualified for FTA, it's not too late. You can request abatement retroactively and get the penalty refunded. Call the IRS or file Form 843. The IRS will apply the same eligibility criteria, and if you qualify, they'll issue a refund or credit to your account. Most people don't know this, which means most people who've paid a penalty they didn't have to are leaving money on the table.

Plan B: Reasonable Cause

What if you don't qualify for First-Time Penalty Abatement—maybe you had a penalty two years ago, or you're dealing with penalties for multiple years? You still have options. The most powerful is **Reasonable Cause.**

Under the Internal Revenue Code, the IRS can abate most penalties if you can show that you failed to comply due to reasonable cause and not willful neglect. This is a facts-and-circumstances determination, which means there's no rigid formula. The IRS evaluates each case individually.

What Counts as Reasonable Cause?

The IRS's own Internal Revenue Manual (IRM 20.1.1.3.2) lists several categories of circumstances that can support a reasonable cause claim:

Serious illness or death. If you, your spouse, or an immediate family member suffered a serious illness, hospitalization, or death around the filing or payment deadline, that's strong reasonable cause. The IRS expects you to catch up once the crisis passes, but they recognize that life sometimes makes tax compliance impossible.

Natural disaster. If you were affected by a federally declared disaster—hurricane, wildfire, flood, tornado—the IRS routinely grants penalty relief and extended deadlines for affected areas. Even without a formal disaster declaration, severe personal impact from a natural event can qualify.

Fire, casualty, or destruction of records. If your tax records were destroyed by a fire, flood, or other casualty, and you couldn't reconstruct them in time to file, that's reasonable cause.

Inability to obtain records. If you needed documents from a third party (a bank, an employer, a government agency) and they failed to provide them despite your reasonable efforts, the IRS may grant relief.

Reliance on a tax professional. If you hired a qualified tax professional, gave them accurate information, and they made an error or failed to file on time, that can be reasonable cause. But you have to show that you actually gave them the information they needed and reasonably relied on their expertise. "My accountant dropped the ball" works if it's true and documented. "I assumed my cousin who does taxes as a side gig would handle it" is a harder sell.

Reliance on IRS advice. If you received incorrect advice from the IRS—in writing, over the phone, or through their website—and relied on it to your detriment, that's reasonable cause. This is one of the strongest defenses, but you'll need to document it (which is why we keep telling you to write down the name and ID of every IRS employee you talk to).

Ignorance of the law (sometimes). Generally, not knowing the law isn't an excuse. But for first-time filers, recent immigrants, people with limited English proficiency, or situations involving new and complex tax provisions, the IRS may be more lenient. This isn't a reliable defense, but it's on the menu.

How to Make the Request

You can request reasonable cause abatement by phone, but for anything more complex than a straightforward situation, a written request is stronger. A good reasonable cause letter includes:

1. Your name, SSN, and the tax year(s) in question
2. The specific penalty you're requesting be abated
3. A clear, concise explanation of the circumstances that prevented compliance
4. The dates of the relevant events
5. What you did to try to comply or to resolve the situation once the circumstances changed
6. Supporting documentation (medical records, insurance claims, death certificates, correspondence with tax professionals, disaster declarations, etc.)

Be honest, be specific, and be sympathetic without being melodramatic. "My mother was hospitalized with cancer in March and passed away in May. I was her primary caregiver during this period and was unable to attend to my tax obligations until July, at which point I filed immediately" is persuasive. "Things were really hard last year" is not.

Send your request by certified mail (are you tired of hearing this yet?) and keep copies of everything.

If the IRS denies your reasonable cause request, you can appeal the denial to the IRS Independent Office of Appeals.

The Penalty Interest Problem

Let's address the elephant that's been lurking in the corner: interest.

Interest is not technically a penalty, but it functions like one and it accrues on everything you owe—the underlying tax, the Failure to File penalty, the Failure to Pay penalty, the accuracy penalty, all of it. It compounds daily at the federal short-term rate plus 3 percentage points, which as of early 2026 is 7% for individual underpayments.

Interest is almost never abated. By law, the IRS must charge interest on underpayments, and the only way to stop it from accruing is to pay the balance. The IRS can reduce or remove interest only in very narrow circumstances—primarily when it was caused by an IRS error or an unreasonable delay by the IRS in performing a ministerial or managerial act.

This makes interest the most insidious part of an IRS debt. Even if you successfully get your penalties abated, even if you set up a payment plan, interest keeps running on whatever balance remains. It's the gremlin from Chapter 3, and the only way to kill it is to pay it.

The practical takeaway: the faster you pay off your IRS balance, the less interest you'll owe. If you have the means to pay faster than your installment agreement requires—extra payments, lump sums when you get a bonus or tax refund—do it. Every dollar you pay today is a dollar that stops generating interest tomorrow.

The Penalty Abatement Flowchart

When you're staring at a penalty on your IRS notice, here's the decision tree:

Step 1: Do you qualify for First-Time Penalty Abatement? Check the three criteria: clean history for three years, all returns filed, tax paid or arranged. If yes, call the IRS and request it. This is your fastest and easiest path.

Step 2: If FTA doesn't apply, do you have reasonable cause? Were there circumstances beyond your control that prevented compliance? Document them, write the letter, and submit the request.

Step 3: If reasonable cause is denied, appeal. Request review by the IRS Independent Office of Appeals. The same principles from Chapter 5 apply—Appeals has the authority to exercise discretion that front-line agents may not.

Step 4: If all else fails, consider the penalty in the context of your overall resolution. If you're pursuing an Offer in Compromise (Chapter 8), penalties are included in the compromised amount. If you're in a Partial Payment Installment Agreement (Chapter 7), penalties are part of the balance that may ultimately expire when the collection statute runs out.

Penalties are not permanent, immovable obstacles. They are variables in a negotiation. The IRS has the authority and the internal procedures to reduce or eliminate them in a wide range of circumstances. You just have to know to ask.

Penalties Feel Personal

They feel like punishment, like the IRS is rubbing salt in the wound. And to some extent, they are. That's their purpose, to incentivize compliance.

But the system also recognizes that life happens. People get sick. Businesses fail. Disasters strike. Good people make honest mistakes. And for those situations, the IRS has built in mechanisms for relief—mechanisms that most taxpayers never use because they don't know they exist.

First-Time Penalty Abatement alone saves eligible taxpayers thousands of dollars every year, and the majority of people who qualify never ask for it. Reasonable cause abatement resolves thousands more cases. The tools are there. They're available. They work.

All you have to do is ask.

Chapter 13: Know Your Rights (And What Just Changed)

We've spent twelve chapters teaching you how to navigate the IRS—how to talk to them, how to survive an audit, how to negotiate a payment plan, how to fight back when they get it wrong. But we haven't yet talked about the foundation that makes all of that possible: your rights.

You have rights. Real ones. Codified, congressionally mandated, legally enforceable rights. Not suggestions, not guidelines, not aspirational principles the IRS thinks about when it's feeling generous. Rights.

Most taxpayers don't know they have them. The IRS isn't exactly in the habit of handing you a laminated card when they send you a bill. But these rights exist, and knowing them changes the entire power dynamic of every interaction you will ever have with the tax system.

This chapter is about those rights. It's also about the biggest changes to the tax landscape that have arrived in recent years—changes that affect how much you owe, what you can deduct, and how the IRS operates. Think of it as the chapter that ties everything else together.

The Taxpayer Bill of Rights: Your Ten Commandments

In 2014, the IRS formally adopted the **Taxpayer Bill of Rights (TBOR)**, a set of ten fundamental rights that apply to every taxpayer in every interaction with the IRS. These rights are rooted in existing law—most of them come from the Internal Revenue Code, the IRS Restructuring and Reform Act of 1998, and other statutes—but the TBOR organized them into a clear, accessible framework for the first time.

The Taxpayer Advocate Service is the primary enforcer of these rights. If you believe any of them has been violated, TAS is your first call (Chapter 10).

Let's walk through each one.

1. The Right to Be Informed

You have the right to know what you need to do to comply with the tax laws. The IRS must provide clear explanations of the laws and IRS procedures, in accessible language, for all tax forms, instructions, publications, notices, and correspondence.

What this means in practice: When the IRS sends you a notice, it should explain what the issue is, what they want you to do, and what your options are. If you receive a notice that's incomprehensible (and let's be honest, some of them are) you have the right to call and ask for a plain-language explanation. The IRS is supposed to be able to tell you, in terms you can understand, what's going on.

This right also means you can access your own tax information. Your IRS Online Account, your transcripts, your notice history. All of that is available to you because of this right.

2. The Right to Quality Service

You have the right to receive prompt, courteous, and professional assistance in your dealings with the IRS.

What this means in practice: IRS employees are supposed to be helpful, responsive, and respectful. If you encounter an agent who is rude, dismissive, or unhelpful, you have the right to ask for a supervisor. If the service failure is systemic—if you can't get anyone on the phone, if your case has been languishing for months with no response—this is the right that TAS invokes on your behalf.

With the staffing cuts and budget constraints the IRS has experienced, this right has been under significant strain. Wait times are long, responses are slow, and "prompt" service is increasingly aspirational. But the right still exists, and holding the IRS accountable to it—through TAS, through your congressional representatives, and through the formal complaint process—is how it gets enforced.

3. The Right to Pay No More Than the Correct Amount of Tax

You have the right to pay only the amount of tax legally due, including interest and penalties, and to have the IRS apply all tax payments properly.

What this means in practice: If the IRS says you owe $15,000 and you believe the correct amount is $10,000, you have the right to challenge the difference. This right is the foundation for everything we covered in Chapters 4 through 6—audits, appeals, and Tax Court. The IRS doesn't get to just make up a number and force you to pay it. You have the right to dispute, and you have forums in which to do it.

This right also means the IRS must apply your payments correctly. If you send a payment and designate it for your 2024 tax year, the IRS can't unilaterally apply it to your 2022 balance instead (with limited exceptions). If they misapply a payment, you have the right to get it corrected.

4. The Right to Challenge the IRS's Position and Be Heard

You have the right to raise objections and provide additional documentation in response to formal IRS actions or proposed actions. You have the right to expect that the IRS will consider your timely objections and documentation promptly and fairly.

What this means in practice: When you disagree with an audit result, you can appeal. When you receive a proposed assessment, you can challenge it. When the IRS wants to levy your wages, you can request a Collection Due Process hearing. At every stage, you have the right to present your case, provide evidence, and be heard by someone who will actually consider what you've said.

This is the right that makes the entire dispute resolution system work. Without it, the IRS would be judge, jury, and executioner. With it, you always have a seat at the table.

5. The Right to Appeal an IRS Decision in an Independent Forum

You have the right to a fair and impartial administrative appeal of most IRS decisions, including many penalties. You also have the right to receive a written response regarding the IRS Independent Office of Appeals' decision.

What this means in practice: The Appeals division we spent all of Chapter 5 on exists because of this right. Appeals is organizationally independent from the examination and collection divisions—the people who made the original decision don't get to review your appeal. And if Appeals doesn't resolve things, you have the right to take your case to Tax Court or another federal court (Chapter 6).

This is one of the most powerful rights you have, and it's also one of the most underused. Remember: over 80% of cases that go to Appeals settle favorably for the taxpayer.

6. The Right to Finality

You have the right to know the maximum amount of time you have to challenge the IRS's position, as well as the maximum amount of time the IRS has to audit a particular tax year or to collect a tax debt.

What this means in practice: The IRS can't audit you forever. They generally have three years to initiate an audit (six years if you substantially understate income). They have ten years from assessment to collect a tax debt. These statutes of limitations are your protection against an agency that might otherwise pursue you indefinitely.

This right also means the IRS must tell you your deadlines—the 30 days to request an appeal, the 90 days to file a Tax Court petition, the 30 days to request a CDP hearing. These deadlines protect you, but only if you know about them and act on them.

7. The Right to Privacy

You have the right to expect that any IRS inquiry, examination, or enforcement action will comply with the law and be no more intrusive than necessary.

What this means in practice: An auditor can't go fishing through your entire financial life if they're only examining your charitable contributions. A Revenue Officer can't demand information that isn't relevant to your collection case. The IRS can't share your tax information with third parties without your consent or a legal basis.

During an audit, this right is what limits the scope of the examination to the items listed in the audit notice. During a collection case, it's what prevents the IRS from demanding more financial disclosure than is necessary to evaluate your situation.

8. The Right to Confidentiality

You have the right to expect that any information you provide to the IRS will not be disclosed unless authorized by you or by law.

What this means in practice: Your tax return is private. The IRS cannot share it with your employer, your ex-spouse, your neighbor, or the media. There are limited exceptions—law enforcement with a court order, certain state tax agencies, and a few other narrow circumstances—but the general rule is that your tax information is confidential.

If you believe the IRS has improperly disclosed your tax information, you may have a cause of action for damages under IRC Section 7431.

9. The Right to Retain Representation

You have the right to retain an authorized representative of your choice to represent you in dealings with the IRS. If you cannot afford representation, you may be eligible for assistance from a Low Income Taxpayer Clinic.

What this means in practice: At any point during any interaction with the IRS—phone call, audit, collection meeting—you can stop the proceedings and say, "I want to consult with a representative before continuing." The IRS must respect this. We covered this as "Escape Hatch #2" in Chapter 2, and it's one of the most practically useful rights you have.

Your representative can be an attorney, a CPA, an Enrolled Agent, or in certain limited circumstances, another authorized individual. With a properly executed Power of

Attorney (Form 2848), your representative can handle your entire case without you being present.

And if you can't afford representation, Low Income Taxpayer Clinics (which we discussed in Chapter 10) provide free or low-cost help specifically because this right would be meaningless without access.

10. The Right to a Fair and Just Tax System

You have the right to expect the tax system to consider facts and circumstances that might affect your underlying liabilities, ability to pay, or ability to provide information timely. You have the right to receive assistance from the Taxpayer Advocate Service if you are experiencing financial difficulty or if the IRS has not resolved your tax issues properly and timely through its normal channels.

What this means in practice: This is the catch-all. It's the right that says the IRS must treat you as a human being, not just a number. It's the right that underpins reasonable cause penalty abatement (Chapter 12), Offers in Compromise (Chapter 8), Currently Not Collectible status (Chapter 7), and the entire Taxpayer Advocate Service (Chapter 10).

When the IRS machinery produces an unjust result—when the rules as applied to your specific situation create a genuine hardship—this right says the system must have a mechanism to fix it. It's not a guarantee of a favorable outcome, but it is a guarantee that your individual circumstances matter.

What Just Changed: The Tax Landscape After the OBBBA

Throughout this book, we've referenced the One Big Beautiful Bill Act (OBBBA), signed into law on July 4, 2025. It's the largest piece of tax legislation since the Tax Cuts and Jobs Act of 2017, and its provisions affect nearly every taxpayer in the country. We've covered the pieces most relevant to each chapter as they came up, but it's worth pulling them together in one place so you can see the full picture.

For Everyone

Permanent tax brackets. The seven individual income tax brackets (10%, 12%, 22%, 24%, 32%, 35%, 37%) that were set to expire after 2025 are now permanent. Without the OBBBA, brackets would have reverted to the pre-2018 rates, which were higher for most income levels.

Larger standard deduction (permanent). The nearly doubled standard deduction from the TCJA is now permanent: $15,750 for single filers, $31,500 for married filing jointly in 2025, indexed for inflation. This means fewer people need to itemize, which simplifies filing for millions.

Child Tax Credit increase. The credit increased from $2,000 to $2,200 per qualifying child for 2025, indexed for inflation going forward. The refundable portion increased to $1,700.

SALT cap raised. The deduction for state and local taxes (which was capped at $10,000 since 2018) increased to $40,000 for 2025–2029, with the cap phasing out for taxpayers with income above $500,000. This is a significant change for taxpayers in high-tax states like New York, New Jersey, and California.

Senior bonus deduction. Taxpayers age 65 and older can claim an additional $6,000 deduction ($12,000 for married couples where both qualify) for 2025–2028. This is on top of the existing additional standard deduction for seniors. Income phaseouts apply at $75,000 ($150,000 joint).

Estate and gift tax exemption. The lifetime exemption jumped to roughly $15 million per person ($30 million per married couple) starting in 2026. Without the OBBBA, it would have dropped to about $7 million.

For Workers

No tax on tips (2025–2028). A deduction of up to $25,000 for qualified tips in eligible occupations. Income phaseout at $150,000/$300,000 MAGI. We covered this in detail in Chapter 11.

No tax on overtime (2025–2028). A deduction for qualified FLSA overtime premiums, up to $12,500 ($25,000 joint). Same income phaseout. Also covered in Chapter 11.

Auto loan interest deduction (2025–2028). A new deduction for interest paid on loans used to purchase a vehicle for personal use, up to $10,000 per year. Income phaseout at $100,000/$200,000 MAGI. The vehicle must meet certain eligibility criteria.

For the Self-Employed and Small Businesses

QBI deduction permanent. The 20% deduction for qualified business income under Section 199A is now permanent.

100% bonus depreciation permanent. Full first-year expensing of qualifying business assets, restored retroactively to January 20, 2025.

R&D expensing. Domestic research and experimentation costs can be fully expensed again (rather than amortized over five years).

1099-K threshold restored. The reporting threshold for third-party settlement organizations reverted to $20,000 and 200 transactions, retroactive to 2022.

For Families

529 plan expansion. Tax-advantaged 529 savings plans can now be used for K–12 books, materials, testing, tutoring, and other educational expenses—not just tuition.

Adoption credit. Up to $5,000 of the adoption credit is now refundable, making it accessible to lower-income families who adopt.

Trump Accounts. A new type of tax-advantaged savings account for children born in 2025 or later, seeded with a $1,000 government contribution and allowing additional contributions from family members. These accounts function similarly to Roth IRAs and can be used for education, homeownership, or retirement.

The IRS in Transition: What You Need to Know

We've referenced the IRS's staffing challenges throughout this book, and it's worth putting them in context here as part of the bigger picture.

The IRS entered 2025 with ambitious modernization plans funded by the Inflation Reduction Act of 2022, which allocated $80 billion over ten years for technology upgrades, hiring, and improved taxpayer services. Much of that funding was subsequently reduced or redirected, and the workforce reductions driven by DOGE in 2025 further disrupted modernization efforts.

The practical reality for taxpayers filing in 2026 and beyond:

Phone service is strained. Hold times are longer and it's harder to reach a knowledgeable agent. Use the IRS Online Account for everything you can before picking up the phone.

Processing times are slower. Paper returns, amended returns, and correspondence take longer to process. If you can file electronically, do so. If you're waiting for the IRS to process something, be patient—but track your deadlines carefully, because the IRS's slowness doesn't extend your deadlines.

Audit rates are down. With fewer revenue agents, fewer audits are being conducted. This doesn't mean you should be cavalier on your return, but it does mean the IRS is more stretched than ever.

The IRS is more willing to negotiate. With limited resources, the IRS has incentive to resolve cases through agreements rather than prolonged enforcement. This is a silver lining for taxpayers seeking installment agreements, Offers in Compromise, and penalty abatement.

The Direct File program expanded. The IRS's free online filing tool is now available in 25 states, covering roughly 30 million eligible taxpayers. If your return is relatively simple (W-2 income, standard deduction, common credits), Direct File can save you the cost of tax preparation software or a paid preparer.

New IRS tools are available. The IRS Online Account has been expanded, the OIC Pre-Qualifier Tool is available, and video conferencing is an option for certain interactions. The IRS is slowly—very slowly—moving toward a more digital, more accessible service model. Take advantage of the tools that exist.

The Foundation Beneath Everything

Every chapter of this book rests on the rights we've outlined in this one. Your ability to appeal an audit result exists because of Right #5. Your ability to stop a conversation and consult a representative exists because of Right #9. Your ability to request an Offer in Compromise or CNC status exists because of Right #10. The Taxpayer Advocate Service exists because of Right #10. The entire dispute resolution system exists because of Rights #3, #4, #5, and #6.

These aren't abstract principles. They are the guardrails that prevent the most powerful collection agency in the world from steamrolling ordinary people. They are the reason that, despite everything—despite the complexity, the fear, the intimidating letters, the long hold times—the system has mechanisms for fairness.

You have the right to be treated fairly. You have the right to be heard. You have the right to challenge a decision you believe is wrong. You have the right to know your deadlines, to retain a representative, and to expect that your personal information stays private.

And now you know about them. Which means the next time that envelope arrives—the one with "Internal Revenue Service" in the corner—you won't just feel the dread. You'll also feel something else: the quiet confidence of a person who knows the rules, knows their rights, and knows exactly where to turn.

That's the whole point of this book. And you've made it to the end.

Well…almost. There's a conclusion waiting, and then a glossary full of government gibberish translated into plain English. But the hard part? The understanding-the-system part? You've done it.

Let's wrap this up.

Conclusion: You've Got This. (And When You Don't, You've Got Help.)

You made it. You actually made it.

Thirteen chapters, a small zoo's worth of metaphors, and what we sincerely hope is a dramatically reduced level of existential dread. You now know more about how the IRS works, what your rights are, and how to navigate the system than the vast majority of Americans will ever learn—including, we suspect, a fair number of people who work in Congress.

Let's take a moment to remember where we started. You were the person standing at the mailbox, holding a plain white envelope with "Internal Revenue Service" in the corner, feeling the floor tilt beneath your feet. Your heart was doing gymnastics. Your mind was racing to worst-case scenarios involving federal prison and a roommate named Spike.

And now?

Now you know that the IRS isn't a monolithic supervillain. It's a sprawling, underfunded zoo running on a skeleton crew, and the animals inside follow rules you can learn.

Now you know that most IRS notices are generated by computers, not humans with a personal grudge against you.

Now you know that filing (even when you can't pay) is the single most important thing you can do, because it stops the worst penalties, starts the collection clock, and unlocks every resolution option available to you.

Now you know that an audit isn't a conviction. It's a conversation. And if the conversation doesn't go well, you have Appeals, Tax Court, and a $60 filing fee that can change the entire dynamic.

Now you know that the IRS has programs—real, actual programs—for people who can't pay: installment agreements with flexible terms, Offers in Compromise that can settle your debt for a fraction of what you owe, and Currently Not Collectible status that can put the whole thing on pause while you get back on your feet.

Now you know about the Taxpayer Advocate Service, the friendly zookeeper who fights the IRS on your behalf, for free.

Now you know about First-Time Penalty Abatement, the magic phone call that can erase thousands of dollars in penalties in ten minutes.

Now you know your rights (all ten of them) and you know that those rights aren't decorative. They're enforceable.

And now you know that the new tax law brought real changes that put real money back in real people's pockets: deductions for tips and overtime, a bigger standard deduction, a permanent QBI deduction for the self-employed, and a tax system that, despite its flaws and its chaos, has more tools for relief than most people realize.

The Three Rules

If we had to distill this entire book into three rules, the kind you could write on a sticky note and tape to your refrigerator, they would be these:

Rule #1: Don't ignore it. The IRS doesn't forget. Their machinery is slow, but it moves. Every ignored letter is a missed opportunity to resolve the problem on your terms. Open the envelope. Read the notice. Act.

Rule #2: Don't panic. Fear is the IRS's greatest ally, and knowledge is yours. The system is complex, but it's navigable. The outcomes are almost always better than the worst-case scenario you've imagined. Take a breath. Make a plan. Follow the steps.

Rule #3: Don't go it alone if you don't have to. There are people whose entire career is helping taxpayers in exactly your situation: Enrolled Agents, CPAs, and tax attorneys who know the system inside and out. There are Low Income Taxpayer Clinics that provide free help if you can't afford a professional. There's the Taxpayer Advocate Service. And there's this book, which you can come back to anytime you need a refresher.

A Word About TaxStache and TaxQuotes

We wrote this guide because we believe that understanding the tax system shouldn't require a law degree, a six-figure income, or a subscription to something you'll never read. Everyone deserves to understand the rules of the game they're required to play.

TaxStache is our weekly newsletter—free, plain-English, and occasionally funny—that keeps you informed about the tax world without making you want to gouge your eyes out. New issues, new laws, new IRS developments, and the occasional rant about government acronyms. If you enjoyed the tone of this book, you'll feel right at home. You can subscribe at **TaxStache.com**.

And if the time comes when you need more than a newsletter and a guide, when you need someone in your corner, someone who can pick up the phone and deal with the IRS on your behalf, that's what **TaxQuotes** is for. We're a tax resolution company staffed by professionals who do this work every day. We help people negotiate installment agreements, prepare Offers in Compromise, represent clients in audits and appeals, resolve payroll tax problems, and get penalties abated.

We don't promise miracles, and we won't tell you what you want to hear if it isn't true. What we will do is give you an honest assessment of your situation, explain your options in plain language, and fight for the best possible outcome.

You can reach us at **TaxQuotes.com**, and we'd be happy to hear from you.

One Last Thing

That envelope on your kitchen counter—the one that's been sitting there for a week, or a month, or longer—pick it up. Open it. Read it. And then come back to the chapter in this guide that matches your situation.

You are not the first person to face this. You will not be the last. The path through it is well-worn, well-mapped, and far less terrifying than you think.

You've got this.

And when you don't, you've got us.

Appendix: A Glossary of Gibberish (Your Guide to Speaking "IRS-ese")

The IRS has a language all its own—a peculiar dialect of acronyms, form numbers, and bureaucratic terms that seems specifically designed to confuse anyone who hasn't spent twenty years working inside the building. This glossary is your Rosetta Stone. Keep it handy.

Accuracy-Related Penalty. A 20% penalty assessed when you understate your tax due to negligence or a "substantial understatement" of income. It's the IRS's way of saying, "We think you should have known better." Can be fought with a reasonable cause defense.

Adjusted Gross Income (AGI). Your total income from all sources minus certain "above-the-line" deductions like self-employment tax, student loan interest, and IRA contributions. AGI is the magic number that determines your eligibility for a stunning array of credits, deductions, and phaseouts. It appears on line 11 of your Form 1040 and is the number the IRS loves most.

ACS (Automated Collection System). The IRS's enormous call center operation that handles initial collection of overdue tax balances. When you call the IRS about a bill, you're probably talking to an ACS agent. They follow scripts, have limited authority, and can be remarkably variable in their helpfulness from one call to the next. See Chapter 1.

Appeals (Independent Office of Appeals). The division within the IRS tasked with resolving disputes without litigation. Organizationally separate from audits and collections, staffed by experienced professionals whose job is to settle cases. Your best shot at a fair deal after a bad audit result. See Chapter 5.

Assessment. The formal recording of a tax liability on the IRS's books. This is the moment the clock starts ticking on the ten-year collection statute. An assessment happens when you file a return showing a balance due, when the IRS adjusts your return after an audit, or when the IRS files a Substitute for Return on your behalf.

Audit. An examination of your tax return by the IRS to verify that the income, deductions, and credits you reported are accurate. Comes in three flavors: Correspondence (by mail), Office (at an IRS office), and Field (at your home, business, or representative's office). See Chapter 4.

Audit Technique Guide (ATG). The IRS's own internal playbook for auditing specific industries and types of deductions. Published on IRS.gov and available for free. Reading the ATG for your industry before an audit is like getting the answer key to the test. See Chapter 4.

Bonus Depreciation. A tax provision allowing businesses to deduct the full cost of qualifying assets (equipment, vehicles, etc.) in the year of purchase rather than spreading the deduction over several years. Restored to 100% and made permanent by the OBBBA.

CDP Hearing (Collection Due Process Hearing). A formal hearing before the Appeals division that you can request after the IRS files a lien or issues a notice of intent to levy. Filing a timely CDP request generally pauses collection activity and preserves your right to petition Tax Court. File within 30 days of the notice. See Chapter 9.

Collection Statute. The ten-year window the IRS has to collect a tax debt, starting from the date of assessment. When the statute expires, the debt is legally uncollectible. The clock can be paused (tolled) by certain events, including OIC submissions, CDP hearings, and bankruptcy. See Chapters 3 and 7.

CP2000 Notice. An IRS notice informing you that the income reported on your return doesn't match the income reported to the IRS by third parties (employers, banks, etc.). Not technically an audit, but functions like one. Frequently wrong. See Chapter 4.

Currently Not Collectible (CNC). A status the IRS assigns to your account when they determine you genuinely cannot afford to pay anything. Collection activity stops, but the debt remains and interest continues to accrue. The collection statute keeps running, which can work in your favor. See Chapter 7.

DIF Score (Discriminant Function System). The secret numerical score the IRS's computer assigns to every tax return, measuring the statistical likelihood that an audit would produce additional tax revenue. Higher scores mean higher audit probability. The formula is classified, but we know it targets outliers. See Chapters 1 and 4.

Direct File. The IRS's free online tax filing tool, available in 25 states as of the 2025 filing season. Designed for taxpayers with relatively simple returns (W-2 income, standard deduction, common credits).

EFTPS (Electronic Federal Tax Payment System). The IRS's online system for making federal tax payments, including estimated taxes and payroll tax deposits. Free to use. If you're self-employed or run a business, this should be bookmarked on your computer. Available at EFTPS.gov.

Enrolled Agent (EA). A federally licensed tax professional authorized by the Treasury Department to represent taxpayers before the IRS. EAs pass a rigorous three-part exam covering individual tax, business tax, and representation. They are the tax world's unsung heroes and can handle everything from return preparation to audit representation to collection negotiations.

Estimated Tax Payments. Quarterly tax payments made by self-employed individuals and others whose income isn't subject to withholding. Due April 15, June 15, September

15, and January 15. Failure to make adequate estimated payments triggers a penalty. See Chapter 11.

Failure to File Penalty. A penalty of 5% per month (up to 25%) of unpaid tax for each month a return is late. The most expensive common penalty and the primary reason you should always file on time, even if you can't pay. See Chapters 3 and 12.

Failure to Pay Penalty. A penalty of 0.5% per month (up to 25%) of unpaid tax. Reduced to 0.25% while an installment agreement is active. One-tenth the rate of the Failure to File penalty, which is why filing without paying beats not filing at all. See Chapters 3 and 12.

First-Time Penalty Abatement (FTA). An IRS administrative policy that allows abatement of Failure to File and/or Failure to Pay penalties for taxpayers with a clean compliance history for the prior three years. The single most valuable penalty relief tool available, and most people who qualify never ask for it. See Chapter 12.

Form 433-A / 433-B / 433-F. The IRS's Collection Information Statements—detailed financial disclosure forms used to evaluate your ability to pay. Required for non-streamlined installment agreements, Currently Not Collectible status, and Offers in Compromise. The financial colonoscopy. See Chapter 7.

Form 656. The application form for an Offer in Compromise. Bundled with financial statements and instructions in the Form 656-B booklet. See Chapter 8.

Form 843. The form used to request abatement of certain taxes, penalties, and interest. Also used to claim a refund of penalties already paid. See Chapter 12.

Form 911. The form used to request Taxpayer Advocate Service assistance. Also available by calling 877-777-4778. See Chapter 10.

Form 941. Employer's Quarterly Federal Tax Return. Used to report income tax withheld from employees' pay and employer and employee shares of Social Security and Medicare taxes. The form at the center of the payroll tax universe. See Chapter 11.

Form 1040-ES. The form (and payment voucher) for making quarterly estimated tax payments. Includes a worksheet for calculating how much you should pay. See Chapter 11.

Form 2848. Power of Attorney and Declaration of Representative. The form that authorizes a tax professional to represent you before the IRS and receive your confidential tax information. Essential if you want someone to handle your IRS dealings on your behalf.

Form 9465. Installment Agreement Request. The paper form for requesting a monthly payment plan. Can also be done online through the IRS Online Payment Agreement tool. See Chapter 7.

Form 12153. Request for a Collection Due Process or Equivalent Hearing. The form you file within 30 days of a lien or levy notice to get a hearing before Appeals. See Chapter 9.

Innocent Spouse Relief. A provision that allows a spouse to be relieved of tax liability arising from errors made by the other spouse on a joint return, if the requesting spouse didn't know about and had no reason to know about the understatement. Filed using Form 8857.

Installment Agreement (IA). A formal arrangement to pay your tax debt in monthly payments over time. Comes in several varieties: Guaranteed (under $10,000), Streamlined (under $50,000), Non-Streamlined (over $50,000), and Partial Payment. See Chapter 7.

IRS Online Account. A free tool at IRS.gov that lets you view your balance, payment history, notices, and transcripts, and make payments or set up installment agreements. Requires identity verification through ID.me. See Chapter 2.

Levy. The legal seizure of property or assets to satisfy a tax debt. Can be applied to wages (continuous), bank accounts (one-time snapshot with 21-day hold), accounts receivable, retirement funds, and other assets. Requires advance notice and offers a right to a CDP hearing. See Chapter 9.

Lien (Notice of Federal Tax Lien). A public legal claim against all your property as security for a tax debt. Does not mean assets have been seized—that's a levy. A lien complicates credit, real estate transactions, and business relationships. Can be released, discharged, subordinated, or withdrawn under various circumstances. See Chapter 9.

Low Income Taxpayer Clinic (LITC). Independent organizations that provide free or low-cost tax help to low-income taxpayers (generally those at or below 250% of the federal poverty level). Funded in part by IRS grants but operate independently. Find one through IRS.gov or Publication 4134. See Chapter 10.

MAGI (Modified Adjusted Gross Income). Your AGI with certain deductions added back in. Used to determine eligibility for specific tax benefits, including the tips and overtime deductions under the OBBBA. The exact adjustments vary depending on which provision is being calculated.

Notice of Deficiency (90-Day Letter). The formal notice the IRS sends when they've determined you owe additional tax and you haven't agreed. You have exactly 90 days to file a petition with the U.S. Tax Court. Miss this deadline and you lose your right to challenge the assessment without paying first. See Chapters 5 and 6.

OBBBA (One Big Beautiful Bill Act). Signed July 4, 2025. The largest tax legislation since the Tax Cuts and Jobs Act of 2017. Made TCJA provisions permanent, created new deductions for tips and overtime, raised the SALT cap, restored bonus depreciation, and more. See Chapter 13 for the full summary.

Offer in Compromise (OIC). A formal agreement with the IRS to settle your tax debt for less than the full amount owed. Based on your Reasonable Collection Potential. Requires a $205 application fee, an initial payment, and complete financial disclosure. Acceptance rate historically averages around one in three. See Chapter 8.

Partial Payment Installment Agreement (PPIA). A payment plan where your monthly payments are based on ability to pay but won't cover the full balance before the collection statute expires. The remaining balance is written off when the statute runs. See Chapter 7.

Power of Attorney (POA). Authorization for someone to represent you before the IRS. Filed on Form 2848. Allows your representative to speak with the IRS, receive your tax information, and handle your case without you being present.

QBI Deduction (Qualified Business Income). A deduction of up to 20% of qualified business income for self-employed individuals and pass-through business owners under IRC Section 199A. Made permanent by the OBBBA. Income limitations and SSTB restrictions apply for higher earners.

Reasonable Cause. A legal standard for penalty abatement. If you can show that you failed to comply due to circumstances beyond your control (serious illness, disaster, reliance on professional advice, etc.) and not willful neglect, the IRS can remove most penalties. See Chapter 12.

Reasonable Collection Potential (RCP). The formula the IRS uses to determine the minimum acceptable Offer in Compromise. Equals net equity in assets plus future disposable income (multiplied by 12 or 24 months depending on payment option). See Chapter 8.

Revenue Agent. An IRS auditor who conducts examinations of tax returns, primarily for more complex cases including businesses and high-income individuals. Not to be confused with a Revenue Officer (who collects debts). See Chapters 1 and 4.

Revenue Officer (RO). An IRS field collector assigned to large or difficult collection cases. Has the authority to file liens, issue levies, and make unannounced visits. Professional, persistent, and not following a script. If one contacts you, consider getting professional representation. See Chapters 1 and 7.

Self-Employment Tax. The self-employed person's version of Social Security and Medicare taxes. Currently 15.3% of net self-employment earnings (12.4% Social Security on the first $176,100, plus 2.9% Medicare on all earnings). An additional 0.9% Medicare surtax applies above $200,000 ($250,000 joint). See Chapter 11.

Special Agent. A federal law enforcement officer from the IRS Criminal Investigation Division. Investigates intentional tax fraud, carries a badge and a gun, and has a conviction rate above 90%. If two people with badges read you your Miranda rights, say nothing and call a criminal tax attorney. See Chapter 1.

Statute of Limitations. The legally defined time window for certain IRS actions. Three years to audit (six for substantial understatements), ten years to collect from the date of assessment, three years for you to claim a refund. No statute for fraud or unfiled returns.

Streamlined Installment Agreement. A simplified payment plan for individual taxpayers who owe $50,000 or less. Does not require a financial statement. Payments can now be spread over the remaining collection statute (up to 10 years). See Chapter 7.

Substitute for Return (SFR). A return the IRS files on your behalf when you haven't filed your own. Uses the worst possible assumptions—no deductions, no credits, filing status that produces the highest tax. Always results in a higher bill than your actual return would. See Chapter 3.

Tax Court (U.S. Tax Court). The only federal court where you can challenge an IRS assessment without paying the disputed tax first. Small case division handles disputes of $50,000 or less per year with simplified procedures. Filing fee: $60. See Chapter 6.

Taxpayer Advocate Service (TAS). An independent organization within the IRS that helps taxpayers resolve problems and protects taxpayer rights. Free. Phone: 877-777-4778. Your lifeline when the system breaks down. See Chapter 10.

Taxpayer Bill of Rights (TBOR). Ten fundamental rights guaranteed to every taxpayer in every interaction with the IRS, adopted formally in 2014 and grounded in existing law. See Chapter 13.

Trust Fund Recovery Penalty (TFRP). A penalty assessed against individuals personally responsible for failing to pay over employee payroll taxes (the "trust fund" portion). Pierces the corporate veil. Cannot be discharged in bankruptcy. The single most dangerous tax penalty for business owners with employees. See Chapter 11.

Wage and Income Transcript. An IRS record showing all income reported to the IRS under your Social Security number for a given year (W-2s, 1099s, etc.). Available for free through your IRS Online Account or by filing Form 4506-T. Essential for reconstructing back returns.

This glossary covers the terms most commonly encountered in IRS disputes and tax resolution. The tax code contains thousands of additional terms, and new ones are invented every time Congress passes a bill. If you encounter a term not listed here, IRS.gov has a searchable glossary, or you can ask your tax professional—or write to us at TaxStache, and we'll translate it for you.