

CALIFORNIA SOCIETY OF CPA'S Marina Del Rey, CA

Non-Cash Charitable Donations

October 19, 2011



IRS LARGE BUSINESS AND
INTERNATIONAL DIVISION

Welcome

Thank you to the California Society of CPAs for inviting us to your meeting today.

Our goal for the day is to inform and strengthen our working relationships.

Neil B. Mills-Mazer
Engineering and Valuation
Team Manager, Los Angeles, CA

Degrees and Licenses: BS, JD, AVA

Work Experience:

23 years with IRS

**Revenue Agent, Appeals Officer,
Financial Products Specialist,
Business Valuation Specialist,
Team Manager**

**Responsible for review and
concurrence on all valuation
reports issued by my team.**

**Support valuation issues at all
levels – examination, appeals
and trial.**

**Areas of emphasis include
Appraiser Professional
Responsibility, Non-cash
Charitable Contributions and
Research Credit**



Non-Cash Charitable Contributions

Presented by:

**Neil B. Mills-Mazer, JD, AVA
Los Angeles, CA**

Non-Cash Charitable Contributions

Appraisal Requirements

- 1. Must be made by a qualified appraiser.**
- 2. Meet the relevant requirements of Regulation 1.170A-13 and Notice 2006-96.**

Non-Cash Charitable Contributions

Appraisal Requirements

- 3. Appraisal must be made not earlier than 60 days before the date the property is contributed.**
- 4. Appraisal must be received before the due date (including extensions) of the return.**

Non-Cash Charitable Contributions

Qualified Appraiser

- 1. Either:**
 - a. appraisal designation from a recognized professional appraiser organization.**
 - b. Has met certain minimum education and experience requirements.**

Non-Cash Charitable Contributions

Qualified Appraiser - Continued

- 2. Regularly prepares appraisals for which he or she is paid.**
- 3. Demonstrates education and experience in valuing the type of property being appraised.**
- 4. Not prohibited from practicing before the IRS during the 3-year period ending on the date of appraisal.**



Non-Cash Charitable Contributions

**Appraisal fees cannot be based on
a percentage of the appraised
value**

Non-Cash Charitable Contributions

Form 8283 (Rev. 12-2006)

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Name(s) shown on your income tax return

Identifying number

Section B. Donated Property Over \$5,000 (Except Certain Publicly Traded Securities)—List in this section only items (or groups of similar items) for which you claimed a deduction of more than \$5,000 per item or group (except contributions of certain publicly traded securities reported in Section A). An appraisal is generally required for property listed in Section B (see instructions).

Part I Information on Donated Property—To be completed by the taxpayer and/or the appraiser.

4 Check the box that describes the type of property donated:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Art* (contribution of \$20,000 or more) | <input type="checkbox"/> Qualified Conservation Contribution | <input type="checkbox"/> Equipment |
| <input type="checkbox"/> Art* (contribution of less than \$20,000) | <input type="checkbox"/> Other Real Estate | <input type="checkbox"/> Securities |
| <input type="checkbox"/> Collectibles** | <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Other |

*Art includes paintings, sculptures, watercolors, prints, drawings, ceramics, antiques, decorative arts, textiles, carpets, silver, rare manuscripts, historical memorabilia, and other similar objects.

**Collectibles include coins, stamps, books, gems, jewelry, sports memorabilia, dolls, etc., but not art as defined above.

Note. In certain cases, you must attach a qualified appraisal of the property. See instructions.

5	(a) Description of donated property (if you need more space, attach a separate statement)	(b) If tangible property was donated, give a brief summary of the overall physical condition of the property at the time of the gift	(c) Appraised fair market value		See instructions				
					(d) Date acquired by donor (mo., yr.)	(e) How acquired by donor	(f) Donor's cost or adjusted basis	(g) For bargain sales, enter amount received	(h) Amount claimed as a deduction
A									
B									
C									
D									

Part II Taxpayer (Donor) Statement—List each item included in Part I above that the appraisal identifies as having a value of \$500 or less. See instructions.

I declare that the following item(s) included in Part I above has to the best of my knowledge and belief an appraised value of not more than \$500 (per item). Enter identifying letter from Part I and describe the specific item. See instructions. ► _____

Signature of taxpayer (donor) ► _____

Date ► _____

Non-Cash Charitable Contributions

Appraiser must complete Part III of form 8283

Part III Declaration of Appraiser

I declare that I am not the donor, the donee, a party to the transaction in which the donor acquired the property, employed by, or related to any of the foregoing persons, or married to any person who is related to any of the foregoing persons. And, if regularly used by the donor, donee, or party to the transaction, I performed the majority of my appraisals during my tax year for other persons.

Also, I declare that I hold myself out to the public as an appraiser or perform appraisals on a regular basis; and that because of my qualifications as described in the appraisal, I am qualified to make appraisals of the type of property being valued. I certify that the appraisal fees were not based on a percentage of the appraised property value. Furthermore, I understand that a false or fraudulent overstatement of the property value as described in the qualified appraisal or this Form 8283 may subject me to the penalty under section 6701(a) (aiding and abetting the understatement of tax liability). In addition, I understand that a substantial or gross valuation misstatement resulting from the appraisal of the value of the property that I know, or reasonably should know, would be used in connection with a return or claim for refund, may subject me to the penalty under section 6695A. I affirm that I have not been barred from presenting evidence or testimony by the Office of Professional Responsibility.

**Sign
Here**

Signature ►

Title ►

Date ►

Business address (including room or suite no.)

Identifying number

City or town, state, and ZIP code

Non-Cash Charitable Contributions

Part IV Donee Acknowledgment—To be completed by the charitable organization.

This charitable organization acknowledges that it is a qualified organization under section 170(c) and that it received the donated property as described in Section B, Part I, above on the following date ► _____

Furthermore, this organization affirms that in the event it sells, exchanges, or otherwise disposes of the property described in Section B, Part I (or any portion thereof) within 3 years after the date of receipt, it will file **Form 8282**, Donee Information Return, with the IRS and give the donor a copy of that form. This acknowledgment does not represent agreement with the claimed fair market value.

Does the organization intend to use the property for an unrelated use? ► Yes No

Name of charitable organization (donee)	Employer identification number	
Address (number, street, and room or suite no.)	City or town, state, and ZIP code	
Authorized signature	Title	Date



Printed on Recycled Paper

Form **8283** (Rev. 12-2006)



Non-Cash Charitable Contributions

CONTACT INFORMATION

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Questions


