

In Case You Missed It!

Regulatory Relief Bill Signed into Law

This bill which was signed into law by the Governor amends the New York Executive law concerning regulatory fines for small businesses. This bill is intended to reduce regulatory fines on businesses and to create a productive relationship between the state and business owners that will allow them to work closely together.

See Page 5 for more

Chapter Office Hours

800-822-3260

For Tax Season the chapter's office hours are:

**Mon-Fri 10 AM to 7 PM
Sat 10 AM to 5 PM**

Please call with NY based questions only.
We cannot answer Federal Questions.

E-News

New York Chapter of NATP
Monthly Newsletter

January 2020

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NewYorkNATP.com

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Tax Preparer Registration

The 2020 Tax Preparer Registration Application is now available. If a preparer has not completed the 2020 Registration Education Requirements, they'll need to complete the education before they can register for 2020.

Preparer's **must** register, or renew their registration, with the New York State Tax Department for every calendar year in which they:

- will be paid to prepare **one or more** New York State tax returns or reports; or
- will facilitate a refund anticipation loan (RAL) or refund anticipation check (RAC).

To determine if a preparer is required to register, pay the registration fee, and take continuing education courses, please see below

Who must complete requirements?

If a preparer meets New York State's definition of a *commercial tax return preparer*, they have New York State continuing education requirements unless they are exempt (see below list). These requirements may not be satisfied with either CPE or CLE credits.

Who is a tax return preparer?

Tax return preparers are individuals paid to prepare at least **one** New York State tax return or report.

Tax return preparer refers to:

- individuals paid to prepare at least one New York State return or report;
- employees of tax return preparation businesses who prepare at least one New York State return; and
- partners who prepare returns for clients of a partnership engaged in a commercial tax return preparation business.

Who is not a tax return preparer (Who is exempt)?

Tax return preparer does **not** refer to:

- Attorneys,
- CPAs,
- PAs (public accountants),
- Enrolled agents,
- Volunteer tax preparers,
- Employees of an attorney,
- Employees of a CPA,
- Employees of a PA,
- Employees of an enrolled agent, or
- Employees of a business preparing **only** the business' tax returns.

Who is a commercial tax return preparer?

Commercial preparers are non-exempt preparers who:

- will be paid to prepare **at least one** New York State tax return or report in the **current** calendar year, **and**
- were paid to prepare **10 or more** New York State tax returns or reports in the **previous** calendar year;

or

- will be paid to prepare **10 or more** New York State tax returns or reports in the **current** calendar year.

Who is a facilitator?

Facilitators are non-exempt people who individually or with someone else:

- solicit the execution of, process, receive, or accept an application or agreement for a refund anticipation loan (RAL) or refund anticipation check (RAC);
- serve or collect on a RAL or RAC; or
- facilitate making a RAL or RAC.

What the requirements are

Preparer's must complete free online continuing education courses.

Course requirements		
If the preparer	and they	they must complete the curriculum titled:
did not register in a prior year	are registering for the first time with New York State,	<i>2021 Registration Education Requirements - 16 Qual.</i>
registered in 2019	completed the <i>2019 Registration Education Requirements - 16 Qual,</i>	<i>2020 Registration Education Requirements - 4 CPEs.</i>
registered in 2019	completed the <i>2019 Registration Education Requirements - 4 CPEs,</i>	<i>2020 Registration Education Requirements - 4 CPEs.</i>

Note: The IRS course for tax preparers (*Tax Return Preparer Certification*) **does not count** toward required New York State hours of coursework.

How to complete the requirements

Preparer's will need to complete the **free** online continuing education courses using the state's online Statewide Learning Management System (SLMS).

SLMS is an external website, but preparer's must access it through their Tax Department Individual Online Services account to enroll in and complete courses. Simply:

1. Log in to your Individual Online Services account.
2. Select the ≡ *Services* menu from your *Account Summary* homepage.
3. Select *Tax preparer registration program*, then choose *Take required education* from the expanded menu.
4. On the *Registration and Continuing Education Training Tax Return Preparers* page, select **SLMS**.
5. Enroll in and complete the appropriate courses

Remember—if the preparer doesn't meet the state's definition of a commercial tax return preparer, they are **not** required to complete continuing education courses. However, if they would still like to complete the courses, they may sign up for the Optional Learning Course in the SLMS, which contains each class offered to commercial tax return preparers.

For more information please visit:

<https://tax.ny.gov/tp/reg/tpregmore.htm>

Hello From the Education Chair

Hello to all our valued New York NATP members. My name is Nick Kounios. I will be your new Education Committee Chairman for the upcoming year. I was nominated by the President of the board, George Powers, along with the support of the outgoing Educational Committee Chairman, Richard Rottkamp. I would like to thank them both for their support and trust in this important role for our Chapter. I would also like to thank the entire New York NATP Board of Directors for their charitable contribution towards the charity, Connor's Cure, which is supported by my NYC marathon run.

First and foremost, Richard Rottkamp has done a phenomenal job in the previous years as Education Chairman. His dedication and hard work has elevated the chapter onto a new higher education level. All of his efforts are greatly appreciated by every member of our New York NATP committee. I will try my best to continue the level of service that Mr. Rottkamp has provided in the past.

Moving into the New Year, we have just finished our first Educational meeting and I am excited to share with you that we will be offering more summer classes, along with more fall classes. I am looking forward to seeing all of you at our next Educational Seminar. The schedule for upcoming dates should be coming out soon. Please remember to check the website, <https://newyorknatp.com/education/> for updates. I also invite you to join us at our annual conference being held in this year in San Antonio, Texas, July 26th-30th.

As always, we continue to look for volunteers for our committee. I welcome and encourage any questions or suggestions that you may have for the upcoming year. Please feel free to contact my office at anytime. 914-244-8930. I will always make time to speak with you.

I want to wish you all a prosperous and productive tax season. Please remember that we are all here to help one another. Do not hesitate to reach out to your fellow NY NATP members.

Happy New Year.
Nick Kounios, EA

After 20 Years it's Time to Write My Book

Here are just a couple of humorous encounters I've had with my Tax Clients over the years.

The first document I have my clients sign is the 'Customer Service Agreement'. It's loaded with legal jargon, however one of the paragraphs states that in the event things go terribly wrong, the taxpayer can't sue me personally, but can request 'binding arbitration' for the modest fee of \$5 dollars. Upon reading this one of my clients asked me "you're not gonna mess up my taxes are you?" I replied "ma'am... I've been doing this for twenty years. I'm **fast** and I'm **accurate!**" She tapped me on the wrist and whispered to me, "that's okay honey, I used to be **fast** too!"

On another occasion I received a call from an irate client stating that the Feds took her entire refund. I asked her the usual questions like "do you owe any back-child support, do you have any outstanding student loans, do you owe any back taxes, did you have a problem with NYS DOL"? She said "no... none of those." I told her to come into my office, and that we would research the situation together. Upon her arrival I called the Tax Offset number and learned that the Department of Education had taken her whole refund. I said to her "I thought you said you didn't have any outstanding student loans?" Her reply was priceless. "I don't...I'm in default!!"

Rick Reynolds EA, Master Tax Advisor

Eating healthy during tax season

By George Powers, EA

As we enter tax season the long hours begin, and that creates a strain on our body. One way this affects us is our eating habits. We may skip meals, eat late, order in or have a bag of candy on our desk to sustain us. If we try and establish better eating habits during these busy days, it will help give us extra energy during tax season and not build up a few more pounds around the middle. A few pointers:

- Bring a lunch -this allows you to control the amount you eat. Most restaurants and sandwich shops make extra large portions. Remember taking a lunch break gives you a moment to stop and give your mind a rest from tax preparations.
- Bring a dinner - or large snack to eat if you are going to be working late. When most people skip a meal they typically become over hungry and eat a much larger meal when they finally get a chance to eat. Also, it is better to eat at least two hours prior to going to bed for the evening.
- Avoid candy and other sweet snacks. Sugar is a high energy source that our bodies have been programmed to crave. This is one reason it is difficult to stop at only one sweet. If we are stationary and not highly active, this high energy food is turned rapidly into fat.
 - Instead, try bringing healthy snacks like nuts or grapes as they are a bit more healthy and help curb hunger.
- Lastly, drink plenty of water. Hydration is really important for good health and it is easy to forget to drink enough. Try keeping a premeasured bottle or container so you can keep track of how much you are drinking. There is a side benefit to drinking extra fluids; it makes you more active by having to get up for trips to the bathroom!

Regulatory Relief Bill Signed into Law

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION

BILL NUMBER: A7540B, SPONSOR: Assemblymen McDonald

This bill which was signed into law by the Governor amends the New York Executive law concerning regulatory fines for small businesses. This bill is intended to reduce regulatory fines on businesses and to create a productive relationship between the state and business owners that will allow them to work closely together.

The bill amends the Executive Law by adding a new section to provide a small business with the opportunity to cure for a first violation of such agency's regulations unless explicitly exempted.

Violation must be paperwork related, or omissions that are de minimus. A Successful completion will prevent the imposition of penalties. However, no waiver may be given if the agency determines the violation resulted in a natural resource damage claim or serious actual harm, or may have Presented an imminent and substantial endangerment to public safety, human health or the environment; is a violation of human rights or civil rights law in loss of employee wages or benefits; interferes with any remedy, review, or resolution related to harassment or discrimination claims; was a willful violation; violates requirements related to federal funding; relates to state procurement; is similar to other violations; is a penal law violation; or relates to a substantive part of the business. Upon first violation a state agency shall provide the small business with a copy of any applicable small business regulation guide, or provide an in person meeting, teleconference or videoconference to help with the small business' compliance with the agency's rules and regulations.

Changes have been incorporated into the bill language to address the veto message concerns and to increase the appropriate period of time to allow for such ameliorative action to occur to ninety days.

According to supporters New York's small businesses are heavily regulated and are not always aware of the numerous current and new regulations. Various regulations can cost small businesses thousands of dollars in implementation and penalties. According to CNBC, New York state is currently ranked 29th when comparing top business states across the country (2016).

For small business to effectively abide by state regulations, they should be provided with essential resources such as literature or an in-person meeting that informs the owner(s) of their obligations to New York's state agencies. This includes frequent updates on updated rules or regulations.

By allowing our small businesses the opportunity to cure as opposed to an immediate fine, the state would be improving communication with our small businesses and working to improve our business climate.

The law became effective immediately.

2020 NY Chapter Board of Directors!

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<http://newyorknatp.com/quickfinder-purchase/>

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The NY Chapter THANKS YOU FOR YOUR SUPPORT!!

NY Chapter Founders Award

Ralph Sommers
2013

Wendy C. Loomis
2014

Karl Herba
2015

Dwayne "Rocky" Rhodes
2016

Kathryn M. Keane
2017

Richard Rottkamp
2019

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