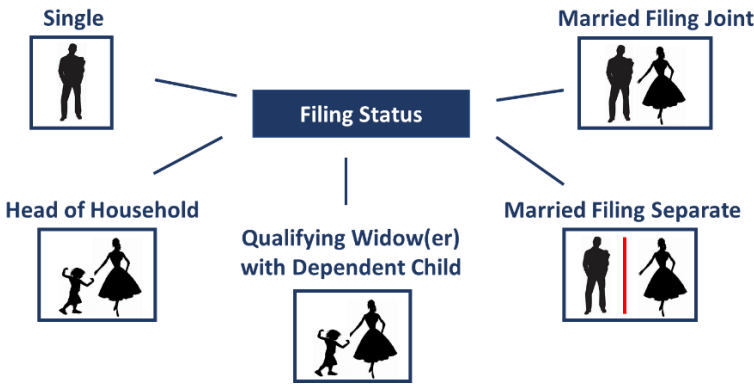


## WHAT'S MY FILING STATUS

Your filing status is determined by what you are on the last day of the year (31 December). This is a binary question – Are you married or are you single? This is a binary question that can only be answered one way – You are either currently married or you are currently single.

If you are currently married and the marriage has not been dissolved by either a divorce, an annulment, or you are not legally separated under a separated maintenance agreement, then you are married – no matter how long it has been since you have lived with your spouse.

Based on the answer to this question, we can they determine your filing status. There are actually five difference filing statuses with the Internal Revenue Service (IRS) – Single, Married Filing Jointly, Married Filing Separately, Head of Household, and Qualifying Widow(er).



Depending Upon Your Situation	
If you are single, your filing status may be:	If you are married, your filing status may be:
<ul style="list-style-type: none"> <li>➤ Single</li> <li>➤ Head of Household</li> <li>➤ Qualifying Widow(er)</li> </ul>	<ul style="list-style-type: none"> <li>➤ Married Filing Jointly</li> <li>➤ Married Filing Separately</li> <li>➤ Head of Household</li> </ul>

The IRS clearly defines the criteria for each of these filing statuses.

You are **single** if on the last day of the year (31 December):

- You were never married.
- You were legally separated from your spouse under a divorce or separate maintenance agreement.
- You were widowed on or before 31 December.

You are **married filing jointly** if on the last day of the year (31 December):

- You were married, even if you did not live with your spouse
- You are living in a common-law marriage that is recognized in the state where you now live or in the state where the common-law marriage began. A common-law marriage is considered marriage when you and your spouse have lived together for a certain period of time and hold

yourselves out as a married couple even though no license was issued, nor a formal ceremony performed.

- You are separated under an interlocutory (not final) decree of divorce.
- Your spouse died during the tax year and you did not remarry during the year.

You are **married filing separately** if you are married and choose to file separately from your spouse. This filing status may benefit you if you want to be responsible for only your own tax or if it results in less tax than filing a joint return. This filing status has many consequences that need to be considered before choosing this option – we recommend you consult with your tax professional.

Here are some of the pitfalls when using the status of married filing separately:

- You cannot claim the standard deduction if your spouse itemizes deductions.
- You cannot claim the earned income credit.
- You cannot claim the credit for Child and Dependent Care expenses.
- You cannot deduct interest paid on a qualified student loan.
- You cannot claim education credits.
- Your capital loss deduction is limited.
- Some of your credits and deductions will be reduced to half of their allowable levels.
- If you lived with your spouse at anytime during the tax year,
  - You cannot take the credit for the elderly or disabled.
  - You may have to include in income more than half of your social security benefits.

If you choose to file married filing separately, you will need your spouse's name and social security number.

You are **head of household** if on the last day of the year (31 December):

- You are unmarried or *considered unmarried*.
- You have paid more than half of the cost of keeping up a home.
- You have a qualifying person who lived with you for more than half of the year. This person will be different depending upon whether you are unmarried or considered unmarried.

To be considered unmarried, there are certain conditions that must be met. Being considered unmarried allows you to file as head of household instead of filing married filing separate. This preserves your ability to claim certain credits and gives you a better tax rate and a higher standard deduction. To qualify, all the following conditions must apply:

- You must file a separate return.
- You must have paid more than half of the cost of keeping up the home.
- You and your spouse did not live in the same home during any part of the last six months of the tax year.
- Your home was the main home for your child, stepchild, or other eligible foster child for more than half of the year. These are the only people that will qualify a married person to file as head of household.
- You must be able to claim an exemption for the qualifying child. Please note, even though you may have allowed a non-custodial parent to claim the qualifying child – you are still able to file as head of household.

In determining the cost of keeping up a home, include the amounts you paid for rent, mortgage interest, real estate taxes, home insurance, repairs, utilities, and food eaten in the home. Do not include the cost of clothing, education, medical treatment, vacations, life insurance, or transportation. Payments from public assistance must be included in the total cost of keeping up the home but are not considered to be amounts paid by you.

You can use the following worksheet to determine whether or not you pay more than half of the cost associated with keeping up the home.

Cost of Keeping Up the Home		
	Amount Paid by You	Total Cost
Property Taxes	\$	\$
Mortgage Interest Expense		
Rent		
Utility Charges		
Upkeep and Repairs		
Property Insurance		
Food Consumed in the Home		
Other Household Expenses		
Totals	\$	\$
Minus Total Amount You Paid		( )
Amount Paid by Others		\$
If the total amount paid by you is more than the amount paid by other, you meet the requirement of paying more than half the cost of keeping up the home.		

If you are unmarried (not considered unmarried) you may also use a qualifying relative, such as a your child who is not a qualifying child, your parent, grandparent, aunt, uncle, brother, sister, stepbrother, stepsister, half-brother, half-sister (or a descendant of any of them, such as your niece or nephew. You can not use a “cousin” as a qualifying relative” for head of household purposes.

Your parents fit into a special category of relative that do not have to live with you to be a qualifying person, however, you must provide over half of their support.

You are a **qualifying widow(er) with a dependent child** if on the last day of the year (31 December):

- You could have filed a joint return with your spouse for the tax year he/she died (whether or not you actually filed a joint return).
- Your spouse died in one of the two preceding years, for example if your spouse died in 2019, you would file married filing joint, then in 2020 and 2021 you would file as qualifying widow(er) if you had a qualifying child. The next year (2022) you would file as head on household if you had a qualifying person.

It is worth mentioning that if a person who is your spouse of other qualifying person died during the tax year – they are still considered to have lived with you for the entire year. Also, a child was born during the tax, that child is considered to have lived with you for the entire year. The exception is that a child that is still born is not considered to have lived with you – it must be documented as a live birth.