EIC, CTC/ACTC/ODC, AOTC & HOH Documentation

New regulations require ALL paid prepares to substantially document the claim for Earned Income Tax Credit (EITC), Child Tax Credit, Additional Child Tax Credit, Qualifying Other Dependent Credit (CTC/ACTC/ODC), Head of Household (HOH) and the American Opportunity Tax Credit (AOTC). Please Complete the Following and Document.

**Qualifying Dependent Criteria**

Upon meeting the citizenship or residency and joint return tests, consideration for qualifying dependent is composed of four (4) elements: relationship, principle place of abode, age, and support. We will address each below.

**(Relationship Criteria)**

In order to be a qualifying dependent of the tax payer, an individual must bear a specified relationship to the taxpayer. Specifically, the individual must be either: (1) a child (natural, adopted, step, or foster) of the taxpayer or a descendant of such a child, or (2) a brother, sister, stepbrother, or stepsister of the taxpayer or a descendant of any such relative. Also, a person legally adopted by the taxpayer is considered a child of the taxpayer for all purposes.

**Q1. What is/are the relationship of your qualifying dependent? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(Principle Place of Abode Criteria)**

In addition to meeting the relationship criteria, the individual must reside in the same principal place of abode as the taxpayer for more than one-half of the taxable year to be the taxpayer’s qualifying dependent. There are exceptions for temporary absences. For example, illness, education, vacation, or military. ***You may not claim the EIC if the dependent did not live with you over half the year, even if you supported the dependent.***

**Q2. Did your qualifying dependent live with you more than ½ the tax year? YES or NO**

**(Age Criteria)**

In addition to the relationship and principle place of abode criteria, the individual must meet certain age requirements to be a qualifying dependent. First, the individual must be younger than the taxpayer seeking to claim the individual as a dependent unless the individual is permanently or totally disabled at any time during the calendar year.

Furthermore, in order to be a qualifying dependent the individual must either be under the age of 19 as of the close of the calendar year or a student and under the age of 24 as of the close of such calendar year.

**Q3. What is/are the age(s) of your qualifying dependent(s)?\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(Support Criteria)**

Finally, in addition to the relationship, principle place of abode, and age criteria, the individual may not provide over one-half of his or her own support for the calendar year in order to be the qualifying dependent of another person. For this purpose, “support” includes things like food, clothing, housing, recreation, entertainment, vacations, medical and dental care, and child care expenses.

**Q4. Did you provide more than ½ of the individual’s support? YES or NO**

**Q5. Have you ever had any of the following credits disallowed or reduced in a previous year?** (EIC, Child Tax Credit, Additional CTC, American Opportunity Tax Credit or Head of Household Status) **YES or NO**

If yes, did you complete the required recertification form(s), **Form 8862**? Please provide explanation. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Criteria for Filing Head of Household Status**

Please read and attest to the following:

* To qualify, a person must be unmarried of “considered unmarried” on the last of the year, and pay more than half of the cost of keeping up a home for the year.
	+ For filing as head of household, a person is “considered unmarried” if they file a separate return and spouse did not live in the home for the last 6 months of the tax year.
* A qualifying person must live with the taxpayer more than half of the year, with the exception of a mother or father.
* A qualifying person generally must be a qualifying child or qualifying relative for whom the taxpayer can claim an exemption.
* **A qualifying relative must be a member of the taxpayer’s family (not merely a member of the household) in order to be a qualifying person for head of household status.**
* The taxpayer must pay more than half the cost of maintaining the parent’s home (or the cost of a facility) if claiming based on a dependent parent.
* See the link https://www.irs.gov/publications/p501 and click on Head of Household for details.

**I have read the Criteria for Head of Household Filing Status and certify under the penalties of perjury that I meet the above criteria and am eligible to file Head of Household.**

Taxpayer’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Spouse’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**If any qualifying dependent from Q1 previously was not your (the taxpayer’s) son or daughter and you are trying to claim as a dependent for EIC purposes, why are the parents not claiming the child(ren)? You Must Document:**

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**In addition to the Social Security Card & Birth Certificate verification**, please provide one or more of the following IRS approved documents to determine residency eligibility for the qualifying child(ren) listed on Schedule EIC:

* School Records or Statement
* Health Care Provider Statement
* Childcare Provider Statement
* Social Service Records or Statement, (i.e. Food Stamps, Medicaid, etc….)
* Landlord and Lease Agreement
* Indian Tribal Official Statement

**Q6. Is your qualifying dependent a college student under age 24? YES or NO**

**Q7. If yes, you must provide Form 1098-T from institution. Is Form 1098-T included? YES or NO**

**If you, the taxpayer, is reporting self-employment income, you must provide documentation such as:**

* Form 1099-Misc
* Business License
* Records of Gross Receipts
* Records of Expenses
* Summary of Income
* Summary of Expenses
* Bank Statements

**Q8. Are you providing documentation from the above self-employment list? YES or NO**

**Tie Breaking Rules for Qualifying Child Dependents**

Please read and attest to the following:

Since two or more taxpayers could share a single principle place of abode and thus both have the same principle place of abode as a potential qualifying child for more than one-half the tax year, and because the support test is not necessarily tied to support provided by the taxpayer, it is quite possible that an individual could meet all the criteria for being a qualified child of two or more taxpayers. In that circumstance, special tie-breaking rules apply so that the individual may not be claimed as a dependent by more than one taxpayer.

**Item 1.** Specifically, if two or more taxpayers may claim an individual as a qualifying child for the same tax year, the individual is treated as the qualifying child of the taxpayer who is a parent of the individual. ***(Must be the Parent)*** If neither taxpayer is a parent of the individual, the individual is the qualifying child of the taxpayer with the highest Adjusted Gross Income (AGI) for that tax year. ***(Or highest Adjusted Gross Income)***

**Item 2.** If both of the taxpayers who otherwise may claim an individual as a qualifying child for the same tax year are parents of the individual and they do not file a joint return, the individual is treated as the qualifying child of the parent with whom the individual resided for the longest period of time during the tax year, **(or)** if the child resided with both parents for the same amount of time during the tax year, the parent with the highest AGI. The same rule applies where a child is a qualifying child of parents who are registered domestic partners.

**Item 3.** If an individual’s parents may claim that individual as a qualifying child but no parent does, then another taxpayer may claim the individual as a qualifying child only if that taxpayer’s AGI is higher than the AGI of the parent with the higher AGI.

**Item 4.** The taxpayer may not claim the EIC if the taxpayer has not lived with the child for over half the year, even if the taxpayer has supported the child.

**I have read the Tie Break Rules and agree to its terms and attest under penalties of perjury that I am eligible for the claim.**

Taxpayer’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Spouse’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Q9. Can you, the taxpayer, provide documentation to substantiate eligibility for and the amount of the credit(s) claimed on the return? YES or NO**

**Q10. Do you certify that all the answers provided on this form is true, correct and complete? YES or NO**

**I have complied with all EITC, CTC/ACTC/ODC, AOTC and HOH requirements with respect to the credits claimed on the tax return.**

Taxpayer’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Spouse’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

Client Interviewed? **YES or NO** Date of interview \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Were applicable EIC and/or CTC/ACTC/ODC, AOTC or HOH worksheets completed? **YES or NO**

Were applicable EIC and/or CTC/ACTC/ODC, AOTC or HOH worksheets printed? **YES or NO**

Were records of how, when, and from whom the information used documented? **YES or NO**

Has it been determined that the taxpayer was unmarried or considered

unmarried on the last day of the tax year and provided more than half of the

cost of keeping up a home for the year for a qualifying person? **YES or NO**

To meet knowledge requirements, were adequate questions asked and

responses documented that determine the Taxpayer’s eligibility to claim the credit(s)? **YES or NO**

Make Notes below

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