DAY SECKLER

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Dear *Day Seckler Client*,

The recently enacted Tax Cuts and Jobs Act (TCJA) is a sweeping tax package. Here's a reminder of the more important elements of the new law that have an impact on your 2018 tax return.

- ***Tax rates.*** The new law imposes a new tax rate structure with seven tax brackets: 10%, 12%, 22%, 24%, 32%, 35%, and 37%. The top rate was reduced from 39.6% to 37% and applies to taxable income above $500,000 for single taxpayers, and $600,000 for married couples filing jointly. The rates applicable to net capital gains and qualified dividends were not changed.
- ***Standard deduction.*** The new law increases the standard deduction to $24,000 for joint filers, $18,000 for heads of household, and $12,000 for singles and married taxpayers filing separately. Given these increases, many taxpayers will no longer be itemizing deductions. These figures will be indexed for inflation after 2018.
- ***Exemptions.*** The new law suspends the deduction for personal exemptions. Thus, starting in 2018, taxpayers can no longer claim personal or dependency exemptions.
- ***New deduction for "qualified business income."*** Starting in 2018, taxpayers are allowed a deduction equal to 20 percent of "qualified business income," for income from partnerships, S corporations, LLCs, and sole proprietorships. Investment income does not qualify, nor do amounts received from an S corporation as reasonable compensation or from a partnership as a guaranteed payment for services provided to the trade or business. For taxpayers with taxable income above $157,500 ($315,000 for joint filers), (1) a limitation based on W-2 wages paid by the business and depreciable tangible property used in the business is phased in, and (2) income from the following trades or businesses is phased out of qualified business income: health, law, consulting, athletics, financial or brokerage services, or where the principal asset is the reputation or skill of one or more employees or owners. *For our clients who file a Schedule C or E, you will receive a more detail letter with additional information.*
- ***Child and family tax credit.*** The new law increases the credit for qualifying children (i.e., children under 17) to $2,000 from $1,000, and increases to $1,400 the refundable portion of the credit. It also introduces a new (nonrefundable) $500 credit for a taxpayer's dependents who are not qualifying children. The adjusted gross income (“AGI”) level at which the credits begin to be phased out has been increased to $200,000 ($400,000 for joint filers).
- ***State and local taxes.*** The itemized deduction for state and local income and property taxes is limited to a total of $10,000 starting in 2018.
- ***Mortgage interest.*** Under the new law, mortgage interest on loans used to acquire a principal residence and a second home is only deductible on debt up to $750,000 (down from $1 million), starting with loans

taken out in 2018. In addition, there is no longer any deduction for interest on home equity loans, regardless of when the debt was incurred.

- ***Miscellaneous itemized deductions.*** There is no longer a deduction for miscellaneous itemized deductions which were formerly deductible to the extent they exceeded 2 percent of AGI. This category included items such as tax preparation costs, investment expenses, union dues, and unreimbursed employee expenses.
- ***Medical expenses****.* Under the new law, medical expenses are deductible to the extent they exceed 7.5 percent of AGI for all taxpayers. Previously, the AGI "floor" was 10% for most taxpayers.
- ***Casualty and theft losses****.* The itemized deduction for casualty and theft losses has been suspended except for losses incurred in a federally declared disaster.
- ***Overall limitation on itemized deductions****.* The new law suspends the overall limitation on itemized deductions that formerly applied to taxpayers whose AGI exceeded specified thresholds.
- ***Moving expenses****.* The deduction for job-related moving expenses has been eliminated, except for certain military personnel.
- ***Alimony.*** For post-2018 divorce decrees and separation agreements, alimony will not be deductible by the paying spouse and will not be taxable to the receiving spouse.
- ***Health care "individual mandate****."* Starting in 2019, there is no longer a penalty for individuals who fail to obtain minimum essential health coverage.
- ***Estate and gift tax exemption****.* Effective for decedents dying, and gifts made, in 2018, the estate and gift tax exemption has been increased to roughly $11.2 million ($22.4 million for married couples).
- ***Alternative minimum tax (AMT) exemption****.* The AMT has been retained for individuals by the new law but the exemption has been increased to $109,400 for joint filers ($54,700 for married taxpayers filing separately), and $70,300 for unmarried taxpayers. The exemption is phased out for taxpayers with alternative minimum taxable income over $1 million for joint filers, and over $500,000 for all others.

As you can see from this overview, the new law affects many areas of taxation. If you wish to discuss the impact of the law on your particular situation, please give us a call.

Very truly yours,

Your Day Seckler Tax Team