8867

Paid Preparer's Earned Income Credit Checklist

OMB No. 1545-1629 2013

Taxpayer's social security number

▶ To be completed by preparer and filed with Form 1040, 1040A, or 1040EZ. Department of the Treasury

Attachment Sequence No.

▶ Information about Form 8867 and its separate instructions is at www.irs.gov/form8867 Internal Revenue Service Taxpayer name(s) shown on return

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For t	the definitions of the following terms, see Pub. 596. Investment Income Qualifying Child Earned Income University	Full-time Stude	nt
Pa	rt I All Taxpayers		
1	Enter preparer's name and PTIN •		
2	Is the taxpayer's filing status married filing separately?	Yes	☐ No
	▶ If you checked "Yes" on line 2, stop; the taxpayer cannot take the EIC. Otherwise, continue.		
3	Does the taxpayer (and the taxpayer's spouse if filing jointly) have a social security number (SSN) that allows him or her to work or is valid for EIC purposes? See the instructions before answering	☐ Yes	☐ No
	▶ If you checked "No" on line 3, stop ; the taxpayer cannot take the EIC. Otherwise, continue.		
4	Is the taxpayer (or the taxpayer's spouse if filing jointly) filing Form 2555 or 2555-EZ (relating to the exclusion of foreign earned income)?	☐ Yes	☐ No
	▶ If you checked "Yes" on line 4, stop; the taxpayer cannot take the EIC. Otherwise, continue.		
5a	Was the taxpayer (or the taxpayer's spouse) a nonresident alien for any part of 2013?	☐ Yes	☐ No
	▶ If you checked "Yes" on line 5a, go to line 5b. Otherwise, skip line 5b and go to line 6.		
b	Is the taxpayer's filing status married filing jointly?	☐ Yes	☐ No
	▶ If you checked "Yes" on line 5a and "No" on line 5b, stop; the taxpayer cannot take the EIC. Otherwise, continue.		
6	Is the taxpayer's investment income more than \$3,300? See Rule 6 in Pub. 596 before answering	Yes	☐ No
	If you checked "Yes" on line 6, stop; the taxpayer cannot take the EIC. Otherwise, continue.		
7	Could the taxpayer be a qualifying child or another person for 2013? If the taxpayer's filing status is married filing jointly, check "No." Otherwise, see Rule 10 (Rule 13 if the taxpayer does not have a qualifying child) in Pub. 596 before answering	☐ Yes	☐ No
	If you checked "Yes" on line 7, stop; the taxpayer cannot take the EIC. Otherwise, go to Part II or Part III, whichever applies.		

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Part III Taypayers With a Child

	Til Taxpayers with a Child			
	Caution. If there is more than one child, complete lines 8 through 14 for	Child 1	Child 2	Child 3
	one child before going to the next column.			
8	Child's name			
9	Is the child the taxpayer's son, daughter, stepchild, foster child, brother, sister,			
	stepbrother, stepsister, half brother, half sister, or a descendant of any of them?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes☐ No
10	Was the child unmarried at the end of 2013?			
	If the child was married at the end of 2013, see the instructions before			
	answering	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes☐ No
11	Did the child live with the taxpayer in the United States for over half of 2013?	l	l	l
	See the instructions before answering	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes☐ No
12	Was the child (at the end of 2013) -			
	Under age 19 and younger than the taxpayer (or the taxpayer's spouse, (1)			
	if the taxpayer files jointly),			
	Under age 24, a full-time student, and younger than the taxpayer (or the			
	taxpayer's spouse, if the taxpayer files jointly), or			
	Any age and permanently and totally disabled?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes☐ No
	If you checked "Yes" on lines 9, 10, 11, and 12, the child is the taxpayer's qualifying child; go to line 13a. If you checked "No" on line 9, 10, 11, or 12, the child is not the taxpayer's qualifying child; see the instructions for line 12.			
13a	Do you or the taxpayer know of another person who could check "Yes"			
	on lines 9, 10, 11, and 12 for the child? (If the only other person is the taxpayer's spouse, see the instructions before answering)	Yes No	☐ Yes ☐ No	│
	If you checked "No" on line 13a, go to line 14. Otherwise, go to	les live	res NO	les live
	line 13b.			
b	Enter the child's relationship to the other person(s)			
C	Under the tiebreaker rules, is the child treated as the taxpayer's qualifying	Yes No	Yes No	Yes No
	child? See the instructions before answering	Don't know	Don't know	Don't know
	If you checked "Yes" on line 13c, go to line 14. If you checked "No," the taxpayer cannot take the EIC based on this child and cannot take the EIC for taxpayers who do not have a qualifying child. If there is more than one child, see the Note at the bottom of this page. If you checked "Don't know," explain to the taxpayer that, under the tiebreaker rules, the taxpayer's EIC and other tax benefits may be disallowed. Then, if the taxpayer wants to take the EIC based on this child, complete lines 14 and 15. If not, and there are no other qualifying children, the taxpayer cannot take the EIC, including the EIC for taxpayers without a qualifying child; do not complete Part III. If there is more than one child, see the Note at the bottom of this page.			
14	Does the qualifying child have an SSN that allows him or her to work or is valid for EIC purposes? See the instructions before answering	Yes No	Yes No	Yes No
15	Are the taxpayer's earned income and adjusted gross income each less than the limit that applies to the taxpayer for 2013? See Pub. 596 for the limit			Yes No
	If you checked "No" on line 15, stop; the taxpayer cannot take the EIC. If you checked "Yes" on line 15, the taxpayer can take the EIC. Complete Schedule EIC and attach it to the taxpayer's return. If there are two or three qualifying children with valid SSNs, list them on Schedule EIC in the same order as they are listed here. If the taxpayer's EIC was reduced or disallowed for a year after 1996, see Pub. 596 to see if Form 8862 must be filed. Go to line 20. Note. If you checked "No" on line 13c or 14 but there is more than one child, complete lines 8 through 14 for the other child(ren) (but for no more than three qualifying children). Also do this if you checked "Don't know" on line 13c and the taxpayer is not taking the FIC based on this child			

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Pa	rt III Taxpayers Without a Qualifying Child			
16	Was the taxpayer's main home, and the main home of the taxpayer's spouse if filing jointly, in the			
	United States for more than half the year? (Military personnel on extended active duty outside the	_		
	United States are considered to be living in the United States during that duty period. See Pub. 596.)	Ш	Yes	☐ No
	▶ If you checked "No" on line 16, stop; the taxpayer cannot take the EIC. Otherwise, continue.			
17	Was the taxpayer, or the taxpayer's spouse if filing jointly, at least age 25 but under age 65 at the			
	end of 2013? See the instructions before answering		Yes	☐ No
	▶ If you checked "No" on line 17, stop; the taxpayer cannot take the EIC. Otherwise, continue.			
	i you checked the off life 17, stop, the taxpayer cannot take the Lie. Otherwise, continue.			
18	Is the taxpayer eligible to be claimed as a dependent on anyone else's federal income tax return for			
	2013? If the taxpayer's filing status is married filing jointly, check "No"	Ш	Yes	☐ No
	▶ If you checked "Yes" on line 18, stop; the taxpayer cannot take the EIC. Otherwise, continue.			
19	Are the taxpayer's earned income and adjusted gross income each less than the limit that			_
	applies to the taxpayer for 2013? See Pub. 596 for the limit	Ш	Yes	☐ No
	▶ If you checked "No" on line 19, stop; the taxpayer cannot take the EIC. If you checked "Yes"			
	on line 19, the taxpayer can take the EIC. If the taxpayer's EIC was reduced or disallowed for a			
	year after 1996, see Pub. 596 to find out if Form 8862 must be filed. Go to line 20.			
Do				
20	Irt IV Due Diligence Requirements Did you complete Form 8867 based on current information provided by the taxpayer or reasonably	+		
20	obtained by you?	Ιп	Yes	☐ No
21	Did you complete the EIC worksheet found in the Form 1040, 1040A, or 1040EZ instructions (or your	Н	163	
	own worksheet that provides the same information as the 1040, 1040A, or 1040EZ worksheet)?	ΙП	Yes	☐ No
22	If any qualifying child was not the taxpayer's son or daughter, do you know or did you ask why the	ΙĦ	Yes	No
	parents were not claiming the child?			not apply
23	If the answer to question 13a is "Yes" (indicating that the child lived for more than half the year with			
	someone else who could claim the child for the EIC), did you explain the tiebreaker rules and		Yes	☐ No
	possible consequences of another person claiming your client's qualifying child?		Does	not apply
24	Did you ask this taxpayer any additional questions that are necessary to meet your knowledge		Yes	No
	requirement? See the instructions before answering	Ш	Does	not apply
	To comply with the EIC knowledge requirement, you must not know or have reason to know			
	that any information you used to determine the taxpayer's eligibility for, and the amount of,			
	the EIC is incorrect. You may not ignore the implications of information furnished to you or			
	known by you, and you must make reasonable inquiries if the information furnished to you			
	appears to be incorrect, inconsistent, or incomplete. At the time you make these inquiries, you must document in your files the inquiries you made and the taxpayer's responses.			
25	Did you document (a) the taxpayer's answer to question 22 (if applicable), (b) whether you explained		V	П м.
	the tiebreaker rules to the taxpayer and any additional information you got from the taxpayer as a	H	Yes	∐ No
	result, and (c) any additional questions you asked and the taxpayer's answers?		Does	not apply
•	You have complied with all the due diligence requirements if you:			
	Completed the actions described on lines 20 and 21 and checked "Yes" on those lines,			
	2. Completed the actions described on lines 22, 23, 24, and 25 (if they apply) and checked "Yes" (or			
	"Does not apply") on those lines,			
	3. Submit Form 8867 in the manner required, and			
	4. Keep all five of the following records for 3 years from the latest of the dates specified in the			
	instructions under Document Retention:			
	a. Form 8867, Paid Preparer's Earned Income Credit Checklist,			
	b. The EIC worksheet(s) or your own worksheet(s),			
	c. Copies of any taxpayer documents you relied on to determine eligibility for or amount of EIC,			
	d. A record of how, when, and from whom the information used to prepare the form and			
	worksheet(s) was obtained, and			
	e. A record of any additional questions you asked and your client's answers.			
•	You have not complied wiith all the due diligence requirements if you checked "No" on line 20, 21, 22,			
	23 24 or 25 You may have to pay a \$500 penalty for each failure to comply			

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Part V	art V Documents Provided to You						
26	26 Identify below any document that the taxpayer provided to you and that you relied on to determine the taxpayer's EIC						
	eligibility. Check all that apply. Keep a copy of	of any documents you relied	on.	See the instructions before answering. If there			
	is no qualifying child, check box a. If there is no	disabled child, check box o.					
		Residency of Qualifying	ng (Child(ren)			
	a No qualifying child		i	Place of worship statement			
	b School records or statement		j	Indian tribal official statement			
	Landlord or property management state	ement	k	Employer statement			
	d Health care provider statement		1	Other (specify)			
	e Medical records						
	f Child care provider records						
	g Placement agency statement						
	h Social service records or statement		m	Did not rely on any documents, but made notes in file			
			n	Did not rely on any documents			
		Disability of Qualifyin	g C	hild(ren)			
	No disabled child		s	Other (specify)			
	p Doctor statement						
	q Other health care provider statement						
	r Social services agency or program state	ement	t	Did not rely on any documents, but made notes in file			
			u	Did not rely on any documents			
27	If a Schedule C is included with this return, ident	ify below the information that the	taxp	payer provided to you and that you relied			
	on to prepare the Schedule C. Check all that	apply. Keep a copy of any do	cum	ents you relied on. See the instructions			
	before answering. If there is no schedule C, che	ck box a.					
		Documents or Other	Info	ormation			
	a No Schedule C		h	Bank statements			
	b Business license		i	Reconstruction of income and expenses			
	c Forms 1099		j	Other (specify)			
	d Records of gross receipts provided by t	axpayer					
	Taxpayer summary of income						
	f Records of expenses provided by taxpa	yer	k	Did not rely on any documents, but made notes in file			
	q Taxpayer summary of expenses		ı	Did not rely on any documents			

EEA Form **8867** (2013)

SCHEDULE EIC

(Form 1040A or 1040)

Name(s) shown on return

Earned Income Credit

Qualifying Child Information

OMB No. 1545-0074

2013

Complete and attach to Form 1040A or 1040 only if you have a qualifying child. Department of the Treasury (99) Internal Revenue Service

Information about Schedule EIC (Form 1040A or 1040) and its instructions is at www.irs.gov/scheduleeic.

Attachment Sequence No. 43 Your social security number

Before you begin:

- See the instructions for Form 1040A, lines 38a and 38b, or Form 1040, lines 64a and 64b, to make sure that (a) you can take the EIC, and (b) you have a qualifying child.
- Be sure the child's name on line 1 and social security number (SSN) on line 2 agree with the child's social security card. Otherwise, at the time we process your return, we may reduce or disallow your EIC. If the name or SSN on the child's social security card is not correct, call the Social Security Administration at 1-800-772-1213.
- If you take the EIC even though you are not eligible, you may not be allowed to take the credit for up to 10 years. See the instructions for details.

CAUTION!

It will take us longer to process your return and issue your refund if you do not fill in all lines that apply for each qualifying child.

Q	ualifying Child Information	C	child 1	C	hild 2	С	hild 3
1	Child's name If you have more than three qualifying children, you only have to list three to get the maximum credit.	First name	Last name	First name	Last name	First name	Last name
2	Child's SSN The child must have an SSN as defined in the instructions for Form 1040A, lines 38a and 38b, or Form 1040, lines 64a and 64b, unless the child was born and died in 2013. If your child was born and died in 2013 and did not have an SSN, enter "Died" on this line and attach a copy of the child's birth certificate, death certificate, or hospital medical records.						
3	Child's year of birth	younger than yo	4 and the child was ou (or your spouse, if ip lines 4a and 4b;	younger than yo	4 and the child was bu (or your spouse, if ip lines 4a and 4b;	younger than yo	4 and the child was nu (or your spouse, if p lines 4a and 4b;
4 a	Was the child under age 24 at the end of 2013, a student, and younger than you (or your spouse, if filing jointly)?	Go to line 5.	No. Go to line 4b.	Yes. Go to line 5.	No. Go to line 4b.	Yes. Go to line 5.	No. Go to line 4b.
k	Was the child permanently and totally disabled during any part of 2013?	Yes. Go to line 5.	No. The child is not a qualifying child.	Yes. Go to line 5.	No. The child is not a qualifying child.	Yes. Go to line 5.	No. The child is not a qualifying child.
5	Child's relationship to you						
	(for example, son, daughter, grandchild, niece, nephew, foster child, etc.)						
6	Number of months child lived with you in the United States during 2013						
	• If the child lived with you for more than half of 2013 but less than 7 months, enter "7."						
	• If the child was born or died in 2013 and your home was the child's home for more than half the time he or she was alive during 2013, enter "12."	Do not ente	months er more than 12	Do not ente	months er more than 12	Do not ente	months r more than 12

	Earned Income Credit Due Diligence	2013
	(Keep for your records)	
Name(s) as shown on return		Your social security number

Filing Status - Head of Household

The IRS could require additional information/documentation if you are divorced, legally separated, or married and did not reside with your spouse the last 6 months of the year to determine if you qualify for the head of household filing status.

he last 6 months of the year to determine if you qualify for the	e head of household f	iling status.	
Marital status:			
Never married			
Spouse deceased			
Divorced, separated or spouse deceased			
Married but lived apart from spouse during the last 6	months of the year		
Separation agreement			
2. If you are divorced or legally separated, can you provide	the IRS with any of th	e following documents?	
Divorce decree			
Separate maintenance agreement or separation agreement	eement		
3. If you are married but did not reside with your spouse for	the last 6 months of t	he tax year, can you provide the IRS with any of the	supporting
documents verifying that your spouse did not live with you	u?		
Lease agreement			
Utility bills			
Letter for a clergy member			
Letter from social services			
Other supporting documentation			
If so, what type of documentation?			
Can you provide the IRS with receipts and bills substantial	ating the cost of main	taining more than half of the cost of the home? Docur	nentation
that the IRS requires to substantiate the cost of maintaining	ng the home includes	::	
Utility bills Rent receip	ts or mortgage intere	st statement	
Property tax bills Maintenand	ce and repair bills		
Grocery receipts Other hous	ehold bills		
5. Did you receive any non-taxable support/income?			
Family support Childcare a	ssistance		
Food stamps Other			
Housing assistance			
our signature	Date	Spouse's signature. If joint return, BOTH must sign.	Date
Paid preparer's signature	Date		
		1	

Earned Income Credit Due Diligence 2013 (Keep for your records) Name(s) as shown on return Your social security number Income Does the income appear to be sufficient to support the taxpayer and qualifying children? Yes If "No," some additional inquiries might be needed Taxpayers with self-employment income: 1. How long have you owned your business? 2. Can you provide any documentation to substantiate your business? Business cards Business/occupational license (if required) Other tax returns (sales/excise, employment, etc.) Business stationary Receipts or receipt book (with company header) Advertisements (newspaper, flyer, yellow pages, etc.) Other (list any other documentation you can provide to substantiate your business): 3. Who maintains the business records? 4. Do you maintain separate banking accounts for personal and business transactions? a. If "Yes," what form of records were provided? b. If "No," how do you differentiate between personal and business transactions and monetary assets? **5.** Were satisfactory records of income and expense provided? a. If "Yes," in what form were these records provided? Accounting records Car/truck expenses Paid invoices/receipts Ledgers Business bank accounts Log books Computer records Other (list any other forms of documentation you can provide to support your business): **b.** If "No," how did you determine: The amount of income? The amount of expense? 6. Form 1099-MISC: **a.** Do you have any Forms 1099-MISC to support the income? b. If not, is it reasonable that the business type would not receive Form 1099-MISC? **7.** Are the expenses consistent with the type of business? No No **9.** Are any expenses that are typical for this type of business missing? 10. List any other information you can provide related to your business: Your signature Date Spouse's signature. If joint return, BOTH must sign. Date

Date

Paid preparer's signature

Earned Income Credit Due Diligence - Notes 2013 (Keep for your records) Name(s) as shown on return Your social security number Use the notes fields below to document any additional inquiries made by the tax return preparer to help determine if the information furnished by the taxpayer is complete and correct. Date of interview Name of taxpayer interviewed Taxpayer interviewed by Note: Note: Note:

Note:			
Your signature	Date	Spouse's signature. If joint return, BOTH must sign.	Date
Paid preparer's signature	Date		

Earned Income Credit Due Diligence

2013

Your social security number

(Keep for your records)

Name(s) as shown on return Age - Qualifying Child (complete only if qualifying child is over age 18) For children over age 18 who are students or permanently and totally disabled, the following additional Child 1 Child 2 Child 3 information and documentation should be available: ■ Not a Not a student student a. What school does the child attend? Child 2 Child 3 **b.** Can you provide documentation showing that the child was a full-time student for at least 5 months? The school records need to show the dates of attendance. The months don't have to be consecutive ☐ Yes ☐ No Yes No 2. Children with a permanent and total disability Not Not Child 1 disabled disabled a. What type of disability does the child have? Child 2 Child 3 _____ **b.** Does the child receive SSI or other disability payments? Do you have a letter from the child's doctor, other healthcare provider, or any social service program or agency verifying that the child is permanently Relationship - Qualifying Child (complete only if relationship is other than son or daughter) For relationships with children other than son or daughter, the following additional information and documentation should be available: 1. If the biological parent is NOT living with the child, where is the parent? Child 3 Child 1 Mother Father Child 2 Child 3 2. Adopted children: **a.** Is the adoption final or pending? **b.** If the adoption is pending, do you have a letter from an authorized adoption agency? 3. Foster children: a. Do you have a letter from the authorized placement agency or applicable court document? Yes No **4.** Brother, sister, niece, nephew, grandchild, great-grandchild: **a.** Can you provide a birth certificate that verifies your relationship to the child? **5.** Stepchildren or descendent of them, step-grandchildren, step-great-grandchildren: . . . \ Yes \ No \ \ Yes \ No \ No \ Yes \ No a. Can you provide a birth certificate & marriage certificate verifying the relationship to the child? Residency - Qualifying Child Can you provide any of the following documentation to prove that your child lived with you for more than half of the year? More than one type of documentation may be required by the IRS. Child 1 Child 2 Child 3 School records School records School records Medical records Medical records Medical records Letter* Letter* Letter* Social service records Social service records Social service records Davcare records Davcare records Davcare records Daycare provider Daycare provider Daycare provider *The letter must be on official letterhead from one of the following: school, medical provider, social service agency, place of worship, or other acceptable entity. The letter must include the name of the child, name of the child's parent or guardian, child's address, and dates during the year child lived with taxpayer. Adjusted Gross Income - Qualifying Child For tax years beginning after December 31, 2012 a taxpayer other than the parents of a qualifying child can claim the child, but only if the adjusted gross income (AGI) of the taxpayer is higher than Child 1 Child 2 Child 3 the AGI of any parent of the child. If you are not a parent of the qualifying child, is your AGI higher than any parent of the child? Yes No Yes No Yes Spouse's signature. If joint return, BOTH must sign. Your signature Paid preparer's signature Date