Blazek & Vetterling



Nonprofit Organization Fundamentals January 19, 2021

IRS Audits

Presenters:

Kurt Coburn, Blazek & Vetterling Christina Cahill, Polsinelli PC



75735286.1

1

Agenda

INTRO

TYPES OF IRS CONTACT

PRACTICAL GUIDANCE

Before an Audit

Audit Process

Audit Parameters

Discovering Errors & Mistakes

Submissions & Responses

AUDIT OUTCOMES

Q&A

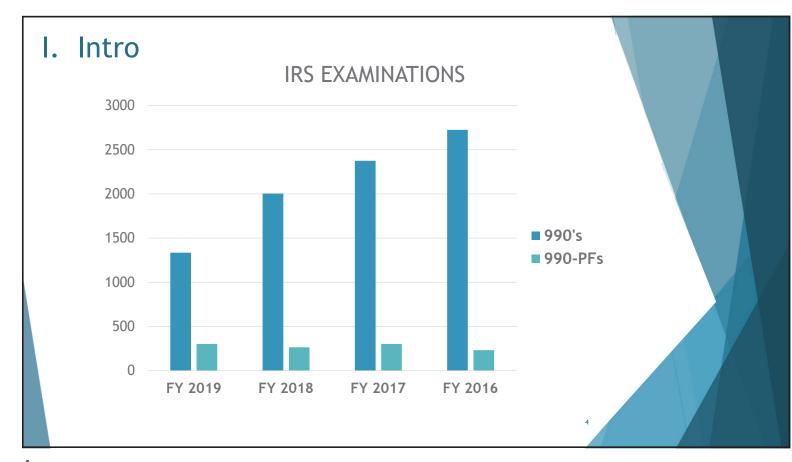
2

I. Intro

- A. Welcome
- B. IRS Focus in EO space = Education and Compliance (vs. raising revenue/yanking exemptions)
 - i. Audit numbers trending down

3

3



I. Intro (continued)

- C. KEY TAKEAWAY = BEST DEFENSE IS GOOD OFFENSE
- D. IRS identifies orgs to audit through:
 - i. Referrals (internal, another agency, public)
 - ii. Statistical sampling
 - iii. Data analytics (aka "query sets")
 - Largely from Form 990
 - ► Inconsistencies or mismatches (i.e. UBTI on Form 990 but no 990-T filed, employment tax items)
 - "Yes" to substantial contraction on Form 990 PF

5

5

I. Intro (continued)

- iii. Data Analytics (aka "query sets") (continued)
 - ▶ 990-T claims for refunds
- Best practices to consider:
 - ► Take 990 seriously involve more than just accountants in the review
 - ► E-filing (helps identify non-compliance, mandatory in 2021 or 2022 at latest Taxpayer First Act)
 - Consider reviewing peer Form 990s
 - Keep good records of everything submitted to IRS

6



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

Title search: IRS Audits

Also available as part of the eCourse

Answer Bar: How to Protect Your Nonprofit

First appeared as part of the conference materials for the 2021 Nonprofit Organizations Fundamentals session "IRS Audits"