Instructions for filing IRS Form 982 to exclude settled or forgiven debt from income:

DRNW, Inc. is not a legal or tax accounting firm. We offer the following examples and instruction based on past experience. Please feel free to consult a tax specialist.

If you have had a debt settled for less than the amount you owed that is more than \$600, the creditor may or may not, file a form with the IRS.

You would then receive a 1099-C which seems to indicate that you must pay additional tax.

You may or may not be responsible for more tax. In most cases, the amount on the 1099-C will not be included. To determine if the forgiven or settled amount will or won't be included, use the following:

- 1) I've included a copy of actual letter from IRS stating the necessary steps and forms needed to exclude settled or forgiven income after receiving a 1099-C.
- 2) Highlight area of IRS Form 982 pg.3 explaining the process with example.
- 3) Actual copy of a 1099-C received by one of our clients (name blocked of course). Client followed instructions and the settled amount was not included as taxable income.

First, determine if you were "insolvent" AT THE TIME OF THE SETTLEMENT, not at present:

Complete a "Net Worth" or "Assets vs. Liabilities" worksheet. It doesn't have to be fancy or typed (but needs to be as accurate and legible). I've included an *example*.

If your LIABILITIES (all your debts) are greater than your ASSETS, you are INSOLVENT.

If insolvent, complete IRS form 982 as per instructions and example:

- Check Part 1 box b
- Put the amount of settled or "forgiven" debt from the 1099-C on Part 1, line 2

You don't need to fill out anything else on form 982.

Attach or include Form 982 and the Assets vs. Liabilities worksheet with your tax return and mail.

If you have already filed your return, and get the 1099-C after you mailed your tax return, mail a copy of the return along with Form 982 and the Assets vs. Liabilities worksheet to the IRS (same address as where you sent return). A short cover letter of explanation would be very helpful.

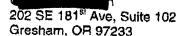
If you have already filed your return (did it yourself) and paid the additional tax because you did not know about the Form 982 to exclude the 1099-C, you should file an amended return Form 1040X (I've included that form.)

<u>If you used a tax preparer</u>, you should contact him/her immediately to file an amended return. If they do not agree or understand with the Filing of Form 982, GET A SECOND OPINION from a qualified tax consultant.

Debt Relief NW, Inc. 202 SE 181st Ave., Ste. 102 Portland, OR 97233 503-492-4109 info@debtreliefnw.com



February 12,



Social Security Number Security Number Contact the Office of W. Brown FAX Number; (512) 460-4960

Dear M

Thank you for your correspondence of January 12, 2000 concerning the 2000 tax account of

Claims of insolvency must be supported by a listing of assets and liabilities at the time the debt was cancelled. You may include a Form 982 or a simple cover letter claiming the insovency and referencing the required listing. Provide these documents to the address above for our consideration.

I have forwarded your Forms 2848 and 8821 for processing and have entered you as an authorized representative in the case file should you wish to call on the status of the case.

Note: The law requires us to charge interest on unpaid amounts from the due date of the return until the date the balance is paid. Therefore, if you feel that you owe any additional tax, you may wish to submit a payment now to limit the accrual of additional interest.

If you have any questions about this letter, please contact us toll-free, 7:00am - 7:00pm, CST, at 800-829-3009.

Sincerely

Thank you for your cooperation.

Jumy L. Signi Tax Examiner # 06

AUR Reconsideration Dept

If you write, please provide a telep	hone number and the most convenient tim	e to reach you.
Telephone Number: ()	Preferred time:	AM/PM
أ بالمعارف	in all	

A81CvrLtr

Rev. 09/00



Certain individuals may need to complete only a few lines on Form 982. For example, if you are completing this form because of a discharge of indebtedness on a personal loan (such as a car loan or credit card

debt) or a loan for the purchase of your principal residence, follow the chart on page 2 to see which lines you need to complete. Also, see Pub. 4681, Canceled Debts, Foreclosures, Repossessions, and Abandonments, for additional information including many examples and sample forms.

Definitions

Title 11 Case

A *title 11 case* is a case under title 11 of the United States Code (relating to bankruptcy), but only if you are under the jurisdiction of the court in the case and the discharge of indebtedness is granted by the court or is under a plan approved by the court.

Discharge of Indebtedness

The term *discharge of indebtedness* conveys forgiveness of, or release from, an obligation to repay.

When To File

File Form 982 with your federal income tax return for a year a discharge of indebtedness is excluded from your income under section 108(a).

The election to reduce the basis of depreciable property under section 108(b)(5) and the election made on line 1d of Part I regarding the discharge of qualified real property business indebtedness must be made on a timely filed return (including extensions) and can be revoked only with the consent of the IRS.

If you timely filed your tax return without making either of these elections, you can still make either election by filing an amended return within 6 months of the due date of the return (excluding extensions). Write "Filed pursuant to section 301.9100-2" on the amended return and file it at the same place you filed the original return.

Specific Instructions

Part I

The American Recovery and Reinvestment Act of 2009 allows certain businesses to elect under section 108(i) to defer and include ratably over a 5-taxable-year period, beginning with the taxpayer's fourth or fifth taxable year following the taxable year of the reacquisition, any income from the discharge of business debt arising from the reacquisition of certain types of business debt repurchased in 2009 and 2010. For more details, including how to make this election, see section 108(i) and Rev. Proc. 2009-37, 2009-36 I.R.B. 309, available at www.irs.gov/irb/2009-36_IRB/ar07.html.



If you made an election under section 108(i) to defer income from the discharge of business debt arising from the reacquisition of a debt instrument, you cannot exclude on lines 1a through 1d the income

from the discharge of such indebtedness for the taxable year of the election or any subsequent taxable year.

Line 1b

The insolvency exclusion does not apply to any discharge that occurs in a title 11 case. It also does not apply to a discharge of qualified principal residence indebtedness (see the instructions for line 1e on page 4) unless you elect to have the insolvency exclusion apply instead of the exclusion for qualified principal residence indebtedness.

Check the box on line 1b if the discharge of indebtedness occurred while you were insolvent. You were insolvent to the extent that your liabilities exceeded the fair market value (FMV) of your assets immediately before the discharge. For details and a worksheet to help calculate insolvency, see Pub. 4681.

Example. You were released from your obligation to pay your credit card debt in the amount of \$5,000. The FMV of your total assets immediately before the discharge was \$7,000 and your liabilities were \$10,000. You were insolvent to the extent of \$3,000 (\$10,000 of total liabilities minus \$7,000 of total assets). Check the box on line 1b and include \$3,000 on line 2.

Line 1c

Check this box if the income you exclude is from the discharge of qualified farm indebtedness. The exclusion relating to qualified farm indebtedness does not apply to a discharge that occurs in a title 11 case or to the extent you were insolvent.

Qualified farm indebtedness is the amount of indebtedness incurred directly in connection with the trade or business of farming. In addition, 50% or more of your aggregate gross receipts for the 3 tax years preceding the tax year in which the discharge of such indebtedness occurs must be from the trade or business of farming. For more information, see sections 108(g) and 1017(b)(4).

The discharge must have been made by a qualified person. Generally, a *qualified person* is an individual, organization, etc., who is actively and regularly engaged in the business of lending money. This person cannot be related to you, be the person from whom you acquired the property, or be a person who receives a fee with respect to your investment in the property. A qualified person also includes any federal, state, or local government or agency or instrumentality thereof.

If you checked line 1c and did not make the election on line 5, the debt discharge amount will be applied to reduce the tax attributes in the order listed on lines 6 through 9. Any remaining amount will be applied to reduce the tax attributes in the order listed on lines 11a through 13.

You cannot exclude more than the total of your (a) tax attributes (determined under section 108(g)(3)(B)) and (b) basis of property used or held for use in a trade or business or for the production of income. Any excess is included in income.

Line 1d

If you check this box, the discharge of qualified real property business indebtedness is applied to reduce the basis of depreciable real property on line 4. The exclusion relating to qualified real property business indebtedness does not apply to a discharge that occurs in a title 11 case or to the extent you were insolvent.

Qualified real property business indebtedness is indebtedness (other than qualified farm indebtedness) that (a) is incurred or assumed in connection with real property used in a trade or business, (b) is secured by that real property, and (c) with respect to which you have made an election under this provision. This provision does not apply to a corporation (other than an S corporation).

Indebtedness incurred or assumed after 1992 is not qualified real property business indebtedness unless it is either (a) debt incurred to refinance qualified real property business indebtedness incurred or assumed before 1993 (but only to the extent the amount of such debt does not exceed the amount of debt being refinanced) or (b) qualified acquisition indebtedness.



Tax Year 2011 Form 1099-C Cancellation of Debt (Copy B)

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if taxable income results from this transaction and the IRS determines that it has not been reported.

Debtor's Information

63863 TAS 1Z1 2012 -0055 0031 80 (00.350) lldalada<u>d</u>alladlalallahlahlahddadladla

C/O DEBT RELIEF NW

202 SE 181ST AVE STE 102 PORTLAND, OR 97233

Creditor's Information

Federal ID Number:

CHASE BANK USA, NA

Form 1099-C Questions

Phone Support: 866-578-2888

Debtor's ID Number: XXX-XX-

Original

5.

\$0.00 7.

Summary of Form 1099-C Cancellation of Debt

Box Description Amount Box Date Canceled 09/10/2011 Amount of debt canceled \$8,263,500)6

Description Was borrower personally liable for repayment of the debt? Bankruptcy

Fair market value of property

Yes No

Amount

\$0.00

3. Interest if included in box 2 **Debt Description** 4.

2.

CREDIT CARD ACCOUNT

(OMB No. 1545-1424)

(OMB No. 1545-1424)

Details of Form 1099-C	Cancellation of Debt
Account Niumbor	D #4

Account Number Box #1 Box #2 Box #3 Other Boxes Acct Description Date Amt. of debt Int. included canceled canceled in box 2 09/10/2011 \$8,263,50

\$0.00 #4 Debt description

CREDIT CARD ACCOUNT

#5 Was borrower personally liable for repayment of the debt? #6 Bankruptcy

No

Instructions for Debtor

If a Federal Government agency, certain agencies connected with the Federal Government, financial institution, credit union, or an organization having a significant trade or business of lending money (such as a finance or credit card company) cancels or forgives a debt you owe of \$600 or more, this form must be provided to you. Generally, if you are an individual, you must include all canceled amounts, even if less than \$600, on the "Other income" line of Form 1040. If you are a corporation, partnership, or other entity, report the canceled debt on your tax return. See the tax return instructions.

However, some canceled debts are not includible, or fully includible, in your income, such as certain student loans, certain debts reduced by the seller after purchase, qualified farm debt, qualified real property business debt, qualified principal residence debt, or debts canceled in bankruptcy. See Pub. 4681. Do principal residence debt, or debts canceled in panisher.

not report a canceled debt as income if you did not deduct it but would have the point it. Also, do not include been able to do so on your tax return if you had paid it. Also, do not include canceled debts in your income to the extent you were insolvent immediately before the cancellation of the debt. If you exclude a canceled debt from your income, file Form 982.

Account number. May show an account or other unique number the creditor assigned to distinguish your account.

Box 1. Shows the date the debt was canceled.

- Box 2. Shows the amount of debt canceled. Note: If you do not agree with this amount, contact your creditor.
- Box 3. Shows interest if included in the canceled debt in box 2. See Pub. 4681 to see if you must include the interest in gross income.
- Box 4. Shows a description of the debt. If box 7 is completed, box 4 shows a description of the property.
- Box 5. Shows whether you were personally liable for repayment of the debt when the debt was created or, if modified, at the time of the last modification. See Pub. 4681 for reporting instructions.
- Box 6. If the box is marked, the creditor has indicated the debt was canceled in a bankruptcy proceeding.
- Box 7. If, in the same calendar year, a foreclosure or abandonment of property occurred in connection with the cancellation of the debt, the fair market value (FMV) of the property will be shown, or you will receive a separate Form 1099-A. Generally, the gross foreclosure bid price is considered to be the FMV. For an abandonment or voluntary conveyance in lieu of foreclosure, the FMV is generally the appraised value of the property. You may have income or loss because of the acquisition or abandonment. See Pub. 4681 for information about foreclosures and abandonments. If the property was your main home, see Pub. 523 to figure any taxable gain or ordinary income.



Net Worth as of date of settlement/forgiveness

Furniture

Total assets:

Appliances, TV, etc.

Savings account

Jewelery, collectables

Assets:	Value:	Liabilities:
Home	\$120,000	Home
1996 Buick	\$500	1996 Buick
2001 Honda	\$1,000	2001 Hond

\$2,500

\$2,500

\$3,500

\$1,000

\$131,000

EXAMPLE ONLY

2001 Honda

Appliances, TV, etc.

Savings account

Bank of America

Credit Cards:

Wells Fargo

Capital One

AT&T Universal

Bank of America

Bank of America

Bank of America

Total Liabilities:

Sears

Chase

Citi

HSBC

Discover

Jewelery, collectables

Furniture

Balance:

\$80,000 \$0

\$0

\$0

\$0

\$0

\$0

\$14,005

\$9,220

\$2,300

\$7,438

\$11,036

\$15,654

\$8,378

\$4,105

\$10,422

\$6,877

\$3,988

\$3,421

\$176,844

Ending:

7860

6888

2350

6741

3114

8035

1010

2108

1752

8142

3452

4507

(Rev. February 2011) Department of the Treasury Internal Revenue Service

Reduction of Tax Attributes Due to Discharge of Indebtedness (and Section 1082 Basis Adjustment)

► Attach this form to your income tax return.

OMB No. 1545-0046

Attachment

Name shown on return Sequence No. 94 ldentifying number Part I General Information (see instructions) EXAMPI Amount excluded is due to (check applicable box(es)): 1 а b C ď е Total amount of discharged indebtedness excluded from gross income 2 Do you elect to treat all real property described in section 1221(a)(1), relating to property held for sale to 3 Reduction of Tax Attributes. You must attach a description of any transactions resulting in the reduction in Part II basis under section 1017. See Regulations section 1.1017-1 for basis reduction ordering rules, and, if applicable, required partnership consent statements. (For additional information, see the instructions for Part II.) Enter amount excluded from gross income: For a discharge of qualified real property business indebtedness applied to reduce the basis of depreciable real property That you elect under section 108(b)(5) to apply first to reduce the basis (under section 1017) of 5 4 6 Applied to reduce any net operating loss that occurred in the tax year of the discharge or carried 5 6 Applied to reduce any general business credit carryover to or from the tax year of the discharge . 7 Applied to reduce any minimum tax credit as of the beginning of the tax year immediately after the 8 7 Applied to reduce any net capital loss for the tax year of the discharge, including any capital loss 8 Applied to reduce the basis of nondepreciable and depreciable property if not reduced on line 5. 10a 9 Applied to reduce the basis of your principal residence. Enter amount here ONLY if line 1e is 10a For a discharge of qualified farm indebtedness applied to reduce the basis of: 11 10b Depreciable property used or held for use in a trade or business or for the production of income if not reduced on line 5 11a Land used or held for use in a trade or business of farming 11b Other property used or held for use in a trade or business or for the production of income . . . 11c Applied to reduce any passive activity loss and credit carryovers from the tax year of the discharge 12 12 Applied to reduce any foreign tax credit carryover to or from the tax year of the discharge . . . 13 Consent of Corporation to Adjustment of Basis of Its Property Under Section 1082(a)(2) Part III Under section 1081(b), the corporation named above has excluded \$ for the tax year beginning _____ and ending ____ Under that section, the corporation consents to have the basis of its property adjusted in accordance with the regulations prescribed for the tax year beginning from its gross income under section 1082(a)(2) in effect at the time of filing its income tax return for that year. The corporation is organized under the laws (State of incorporation) Note. You must attach a description of the transactions resulting in the nonrecognition of gain under section 1081.

(Rev. February 2008) Department of the Treasury

Internal Revenue Service

Name shown on return

Reduction of Tax Attributes Due to Discharge of Indebtedness (and Section 1082 Basis Adjustment)

Attach this form to your income tax return.

OMB No. 1545-0046

Attachment Sequence No. 94

Identifying number Part I General Information (see instructions) Amount excluded is due to (check applicable box(es)): Discharge of indebtedness to the extent insolvent (not in a title 11 case) Discharge of qualified farm indebtedness Discharge of qualified principal residence indebtedness Total amount of discharged indebtedness excluded from gross income. 2 Do you elect to treat all real property described in section 1221(a)(1), relating to property held for sale to customers in the ordinary course of a trade or business, as if it were depreciable property?. Part II Reduction of Tax Attributes. You must attach a description of any transactions resulting in the reduction in basis under section 1017. See Regulations section 1.1017-1 for basis reduction ordering rules, and, if applicable, required partnership consent statements. (For additional information, see the instructions for Part II.) Enter amount excluded from gross income: For a discharge of qualified real property business indebtedness, applied to reduce the basis of 4 That you elect under section 108(b)(5) to apply first to reduce the basis (under section 1017) of 5 Applied to reduce any net operating loss that occurred in the tax year of the discharge or carried 6 over to the tax year of the discharge 6 Applied to reduce any general business credit carryover to or from the tax year of the discharge 7 Applied to reduce any minimum tax credit as of the beginning of the tax year immediately after 8 Applied to reduce any net capital loss for the tax year of the discharge including any capital loss 9 10a Applied to reduce the basis of nondepreciable and depreciable property if not reduced on line 10a b Applied to reduce the basis of your principal residence. Enter amount here ONLY if line 1e is 10b For a discharge of qualified farm indebtedness, applied to reduce the basis of: a Depreciable property used or held for use in a trade or business, or for the production of income, if not reduced on line 5. 11a b Land used or held for use in a trade or business of farming 11b c Other property used or held for use in a trade or business, or for the production of income. 11c Applied to reduce any passive activity loss and credit carryovers from the tax year of the discharge 12 Applied to reduce any foreign tax credit carryover to or from the tax year of the discharge . Part III Consent of Corporation to Adjustment of Basis of Its Property Under Section 1082(a)(2) Under section 1081(b), the corporation named above has excluded \$ ______ from its gross income for the tax year beginning ______, and ending _____ Under that section, the corporation consents to have the basis of its property adjusted in accordance with the regulations prescribed under section 1082(a)(2) in effect at the time of filing its income tax return for that year. The corporation is organized under the laws of _____ (State of incorporation) Note. You must attach a description of the transactions resulting in the nonrecognition of gain under section 1081.

1040X

Department of the Treasury-Internal Revenue Service

Amended U.S. Individual Income Tax Return

OMB No. 1545-0074

	December 2012) ► Information about Form 1040X and its separate instruction	ns is a	at www.irs.gov/fo	rm104	Ox.			
	return is for calendar year 2012 2011 2010 2009	* *********						
Othe	r year. Enter one: calendar year or fiscal year (month and year	ende	d):					
Your fi	r first some and inti-1				social security number			
lf a ioir	nt return, spouse's first name and initial Last name							
., a jo.,	Last name			Spou	se's social se	curity number		
Home :	address (number and street). If you have a P.O. box, see instructions.		T 0-4					
	The state of the s		Apt. no.	Your	phone number	r		
City, to	wn or post office, state, and ZIP code. If you have a foreign address, also complete spaces belo	ow (see	instructions).					
-oreigr	a country name Foreign province/sta	te/cour	nty		Foreign post	al code		
Amer	nded return filing status. You must check one box even if you are not cha	ınging	your filing status	S.				
	ion. In general, you cannot change your filing status from joint to separate re	eturns	after the due da	te.				
_ Sin	- married ming separately							
Qu	alifying widow(er) Head of household (If the qualifying person is a child but	not yo	ur dependent, see	instruc	ctions.)			
	Use Part III on the back to explain any changes		A. Original amount		change-			
	-		or as previously adjusted	or (de	of increase ecrease) —	C. Correct amount		
	me and Deductions		(see instructions)	explai	n in Part III			
1	Adjusted gross income. If net operating loss (NOL) carryback is							
2	included, check here	1						
2 3	Itemized deductions or standard deduction	2						
		3						
4	Exemptions. If changing, complete Part I on page 2 and enter the amount from line 30							
5	Taxable income. Subtract line 4 from line 3	4						
	iability	5						
6	Tax. Enter method used to figure tax:				İ			
Ü	ran. Enter metrica acca to figure tax.	6						
7	Credits. If general business credit carryback is included, check	0						
-	here	7						
8	Subtract line 7 from line 6. If the result is zero or less, enter -0	8						
9	Other taxes	9		• • •				
10	Total tax. Add lines 8 and 9	10						
aym	nents			***************************************				
11	Federal income tax withheld and excess social security and tier 1 RRTA							
	tax withheld (if changing, see instructions)	11						
12	Estimated tax payments, including amount applied from prior year's							
	return	12						
13	Earned income credit (EIC)	13						
14	Refundable credits from Schedule(s) 8812 or M or Form(s) 2439							
	☐ 4136 ☐ 5405 ☐ 8801 ☐ 8812 (2009–2011) ☐ 8839 ☐ 8863							
	8885 or Other (specify):	14						
15	Total amount paid with request for extension of time to file, tax paid with	origir	nal return, and ac	dition	al			
46	tax paid after return was filed				15			
16 Afur	Total payments. Add lines 11 through 15		· · · · · ·		16			
17	Overpayment if any as shown on original return or as proviously edited a		- 100					
1 <i>7</i> 18	Overpayment, if any, as shown on original return or as previously adjusted Subtract line 17 from line 16 (If less than zero, see instructions)	by th	енкъ		17			
10 American 1615 40					18			
20	If line 10, column C, is less than line 18, enter the difference. This is the arr	ce .	oromoid on this		19			
21	Amount of line 20 you want refunded to you	iount	overpaid on this	returi				
22	4 . (1)		1 1		21			
	Amount of line 20 you want applied to your (enter year): estimat	teu (a)	. 22					

	1040X (Rev. 12-2012)								Page
_	t I Exemptions						····		
	plete this part only if you are:								
• Inc	reasing or decreasing the number of exemptions	(personal and depe	ndents)	claim	ed on line 6d of	the re	eturn you ar	e ame	ending, o
• Inc	reasing or decreasing the exemption amount for	housing individuals	displac	ed by	/ a Midwestern d	isast	er in 2009.		0.
					A. Original number of exemptions or			_	0
See Form 1040 or Form 1040A instructions and Form 10		1040X instructions	040X instructions.		amount reported or	B. Net change		C. Correct number	
					as previously adjusted			or	amount
23	Yourself and spouse. Caution. If someone	e can claim vou	as a						
	dependent, you cannot claim an exemption for	yourself		23					
24				24					
25	Your dependent children who did not live with you o	due to divorce or sena	ration	25					
26	Other dependents	to allored of dopt	ar action	26					
27	Total number of exemptions. Add lines 23 thro	uah 26		27					
28			,						
20	Multiply the number of exemptions claimed on amount shown in the instructions for line 2 amending	28 for the year yo	u are	28					
29	If you are claiming an exemption amount displaced by a Midwestern disaster, enter the	amount from Form	8914,						
	line 6 for 2009			29					
30	Add lines 28 and 29. Enter the result here and on lin	ne 4 on page 1 of this	s form	30					
31	List ALL dependents (children and others) claime	d on this amended r	eturn. If i	more	than 4 dependent	ts, se	e instruction	IS.	
	() = ((b) Dependent's	eocial		(a) Dependent's		(d) Check	box if	qualifying
	(a) First name Last name	security num			(c) Dependent's relationship to you		child for chi		
			****				inst	ruction	ns)
Part			~~~		-				
Checi	king below will not increase your tax or reduce yo	our refund.							
	Check here if you did not previously want \$3 to g	go to the fund, but n	ow do.						
	Check here if this is a joint return and your spous	e did not previously	/ want \$	3 to ç	go to the fund, bu	ıt no	w does.		
Part	The state of the s	ovided below, tell us	s why yo	u are	filing Form 1040	X.			
	Attach any supporting documents and r	new or changed for	ms and s	sched	dules.				
Sign	Here								
Reme	mber to keep a copy of this form for your reco	ords.							
					de la della				
CHECU	penalties of perjury, I declare that I have filed an or les and statements, and to the best of my knowledgo han taxpayer) is based on all information about which t	e and belief this ame	anded ret	urn ie	true, correct, and	com	urn, including plete. Declara	ation o	mpanying of prepare
		•							
Your sig	gnature Dat	te Spouse	e's signatu	re. If a	joint return, both mus	st sign	1.	Date	
Paid P	reparer Use Only					5			
⁻repare	r's signature Dat	te Firm's	name (or y	ours if	self-employed)				
Print/typ	pe preparer's name	Firm's a	address an	d ZIP	code				

☐ Check if self-employed

Phone number

EIN

PTIN