



# The Bulletin



East Bay Association of Enrolled Agents  
*To Enhance and Protect the Professional, Economic, and  
Educational Interests of all Enrolled Agents*

September, 2006

## General Meeting

NEXT MEETING Wed., September 20, 2006

Place: **PLEASANTON Crowne Plaza Hotel**

Go to <http://www.ichotelsgroup.com/h/d/cp/1/en/hd/ccrig>  
then click on Map/Directions for personalized directions

4:30 Board Meeting

6:15 Hospitality

6:45 Dinner Buffet

8:00 Program: Like Kind Exchanges  
with Michael Yesk, JD

Cost: \$35.00 with reservation by 5pm Fri. 9/15  
\$45.00 without reservation

Reservations: (800) 617-1040 or (925) 691-1866  
email: [registration@ebaea.org](mailto:registration@ebaea.org)

## STANDING RESERVATIONS

Our Chapter maintains a "Standing Reservations" list for those EAs who attend most monthly meetings. If you are on this list, you need to contact the Chapter office only if you will NOT be attending the meeting. If you wish to be added to or removed from the "standing reservations" list, call (800) 617-1040

## September Topic: Like-Kind Exchanges

*by Philip Fiegler EA, Program Chair*

This month we are going to cover a popular topic that everyone wishes to know more about. Most of us know the basics of §1031 exchanges. We are going to delve into some of the issues which are becoming more prominent as our clients become more sophisticated. We will look at exchanges in a few different situations: TIC exchanges which are becoming very popular, reverse and improvement exchanges, and partnership/LLC issues.

Is it a TIC or a partnership? What happens when there is a split-up or division of partnership →

## PRESIDENT'S MESSAGE

*by Bonnie Buhnerkempe EA, CFP®, CSA*

Welcome back to those of you who got some vacation time in over the summer. I hope to see all of you at this month's dinner meeting. As most of you know we are trying to do a better job of making the EBAAEA group a friendly and welcoming place so we really appreciate when you wear your badge. If you don't have a badge, please sign up for one; if you have already signed up for one before the Aug 5<sup>th</sup> deadline your badge is waiting for you at the dinner meeting.

Make sure when you email your registration for the dinner meeting you get your email confirmation. If you don't get your confirmation back within 1 business day please let the chapter office know. I want to make sure you get your discount if you register before the cut off. If your registration is not in by the Friday before the dinner meeting you will be paying the full price.

I hope you have registered for Tax Talk so you can get all of the information on the latest tax law changes that just happen even this past month. Remember to sign up soon so you can get the best pricing.

Do you want to know who uses the same software you do? Do you want to know who you can ask about tax software before changing? The communication team of our board is compiling a list based on the tax software you use so we can help each other out if there is a question or a problem with the software. Are you thinking of switching software, ask some of the people who use the software to get their opinion.

The board is working on some different ideas, do you have an idea that needs to get put into place? Remember you are welcome at the board meetings, they begin at 4:30PM the same day as the dinner meeting.

\* \* \*

interests? What happens upon termination of a partnership? What is the proper way to park properties on a reverse exchange? What are the rules for either buying or selling to a related party? All will be covered, and specific cites to Internal Revenue Code and regulations, as well court decisions, will be provided.

Our speaker is Michael Yesk, JD, a qualified intermediary and the attorney-manager of the Northern California region for Investment Property Exchange Services, Inc. (www.ipx1031.com/yesk). He earned his undergraduate degree in Philosophy from the University of California, Berkeley, and his JD degree from the University of San Francisco. Mr. Yesk has been an attorney for 18 years. Before becoming the manager of the Northern California office of IPX1031, he represented various title insurance companies as both in-house and outside counsel. He has also represented contractors and owners in construction disputes, and other litigation matters. Mr. Yesk teaches 1031 tax exchange accredited courses to investors, real estate agents, escrow officers, accountants and attorneys.

Mr. Yesk is the co-author of "The Real Estate Investment Flow Chart," which helps investors get started on the road to real estate wealth, and then to move from the residential real estate investment market to the commercial real estate market.

You can listen to Mr. Yesk on Rock, Roll and Real Estate, every Sunday morning at 10:00a.m. in the Bay Area on KNEW 910 AM, and in the Central Valley on KTRB 860 AM.

### **QUICKFINDERS SPECIAL DEAL!**

*by Diann Gross EA*

Due to past difficulties with the deliveries of some of the orders, I had a meeting with the Quickfinders sales people, and I have made special arrangements with them this year. All orders with **our code (Q521)** on them will be **specialy group-priced** and will be **sent directly to you!** (Be sure to use the **GROUP PRICE on your order.**) **The Deadline will be 12/1/2006.** Quickfinders will also be **donating \$5 per book to scholarship at CSEA.** I am sure this will speed things up and be much more efficient for you this way. I urge you to make your orders early using the **special code: Q521 See special forms below.** Please call me at (925) 736-3853 voice/fax with questions.

### **DINNER SUBSCRIPTIONS RENEWAL**

The Chapter has a program for convenient and cost-effective registration for dinner meetings – the annual subscription program. Pay in advance and you'll get some nice discounts and you'll never have to worry about calling in late or forgetting to bring your check-book. Here's the details:

Pay for eight dinner meetings (\$35x8 = \$280) and get the tenth free, PLUS you also get a voucher for \$35 off a Chapter education activity during this fiscal year. That's the equivalent of getting **two** free dinners! You can pay the annual subscription at the September dinner meeting. This is the last opportunity to subscribe for this fiscal year.

### **EBAEA AMBASSADORS**

In an effort to promote networking and member retention, the East Bay chapter is launching an exciting opportunity. We are looking for Ambassadors to "work" the monthly dinner meetings. The role of the Ambassador is pretty simple: 1) When a new member comes to their first few meetings and is trying to get to know people, be willing to introduce them around, invite them to sit at your table, and include them in conversations. Have you considered yet a way to be involved? Is this something you can do? Well, can you answer warmly when a stranger comes to ask you a question? Can you introduce people? If you said yes, you could be an Ambassador! And best of all, this does not require a once-a-month-for-a-whole-year commitment. Can you do this for at least 3 meetings a year? This will also be a great way for YOU to meet some of the new members that come in and be instrumental in making them see the benefit of coming back.

If this Ambassador Program sounds like something you can help us with, please contact Judi Gilmer, EA at 925-373-1468, or call the Chapter Office at (800) 617-1040. No one should ever leave a dinner meeting feeling like an outsider. The East Bay Chapter is about Education and Networking, and the first contact for that is at our dinner meetings. You CAN make a difference in another EA's career!

### **STANDING RESERVATION DINNER LIST**

Now that the new fiscal year is here, the Chapter office needs to update the Standing Dinner Reservation list. If you are now on the list and would like to be taken off or would like to be put on the list, please call the Chapter office. Those who are on the Standing Dinner list, only have to call the Chapter office when you **can not** attend a monthly Dinner meeting. Note that if you are on the list and **DO NOT** cancel your reservation, you **WILL BE CHARGED** for the dinner we have to buy, regardless of whether or not you attend the meeting. Finally, if you are on this list, please check each month to see if you need to tell us your choice of entrée.

### **FLASH NEWS - DAMAGES NONTAXABLE!**

IRC Section 104 says that damages for non-physical injuries are fully taxable and not excludable under Section 104. The law was changed to this effect in 1996. In a very interestingly reasoned opinion recently, the DC Circuit Court of Appeals held that this provision is **UNCONSTITUTIONAL** except where the damages are for lost wages or similar compensation. Thus, for example, if they are awarded in a tort type action for loss to reputation, the DC Court would hold them non-taxable pursuant to the 16th Amendment to the Constitution. If you have clients that might be affected, you should check your research service for more information.

## **REMINDER - NEW DINNER POLICY**

As most of you know the cost of everything keeps going up and we have been trying to keep the price of the dinner meeting low which means we have been losing money. Since that is not a financially responsible thing to do, at the February Board meeting we had a good debate on how to handle the situation. The conclusion was to raise the price of the dinner meeting but to have a larger discount if you register on time. Therefore, the cost of the dinner meeting effective May 2006 is \$45 but there is a \$10 discount if you register by 5:00PM the Friday preceding the meeting. If you have a reservation and need to cancel, you must do so by 5:00PM on the Friday preceding the meeting to avoid being charged. If you register at the door the cost is \$45 as long as there is room (so if you register early, the price is only \$35). **IF YOU MAKE A RESERVATION AND DO NOT ATTEND YOU WILL BE CHARGED FOR THE DINNER YOU ORDERED.**

## **EAS EXEMPTED FROM CONSERVATORSHIP AND GUARDIANSHIP REFORM ACT (SB 1550)**

*by Bronwyn Hughes, CSEA staff*

Senator Figueroa's office heard CSEA, "the voice for all EAs in California", loud and clear and on August 24, 2006, SB 1550 (Figueroa) was amended to exempt Enrolled Agents from the professional fiduciary licensing provisions outlined in SB 1550.

SB 1550 is part of a four-bill package intended to address deficiencies in California's conservatorship system. The bill, if signed into law, would create the Professional Fiduciaries Bureau and would require the Bureau to license and regulate professional fiduciaries.

SB 1550 would require a person acting or holding himself or herself out as a professional fiduciary (as defined in Article 1 of the bill) to be licensed as a professional fiduciary and would require a licensee to meet certain other requirements, including: filing an application for licensure signed under penalty of perjury, passing a licensing examination, payment of licensing fees set by the Bureau, submission of fingerprints for a criminal background check, and annually filing a statement containing specified information under penalty of perjury.

Thanks to the hard work and diligence of your CSEA Legislative Committee, Advocate, and staff, EAs are exempted from the professional fiduciary licensing requirements outlined in SB 1550. (CPAs, and Attorneys are also exempted from the requirements).

CSEA is the strongest voice EAs have in the California Legislature. Advocacy is the cornerstone to protecting your rights to practice in California and it does not happen without the support of Members. The CSEA's Legislative Action Fund (LAF) needs your help!

If you have any questions or concerns, please contact Bronwyn Hughes, CSEA Staff, 800/777-2732, or [bhughes@csea.org](mailto:bhughes@csea.org).

## **TAXTALK 2006**

*by Diane Jaworski-Faulhaber EA*

The joint brochure for the fall seminars for North Bay, Golden Gate and East Bay chapters was sent out at the end of this month. There are a couple of minor changes to our program that were not in our chapter registration mailing. We now have an IRS speaker, Alan Hatcher, from TIGTA (Treasury Inspector General for Tax Administration, which oversees IRS operations). Alan will be concentrating on Circular 230 and 470 for our two hours of ethics.

We have also had a change of speaker for our Real Estate Day on Friday. Unfortunately Jerry Susman has become ill and will not be able to speak for us. We are replacing him with Bob Ching, who is a CPA and a 1031 exchange author. Bob comes highly recommended by Art Werner. If you have any special areas you would like included in this session, please send me an email. Our speakers are very dedicated to education and are very willing to accommodate our special requests whenever they can.

I am very excited about expanding our seminar to three full days. This is a bold move for our chapter where other chapters are cutting back instead of expanding. But that's us, isn't it?! The East Bay Chapter takes the lead oftentimes!! So get your registrations in as soon as possible to help us better plan for our event. Thanks to those who have already registered and taken advantage of the early bird discount! If you did not get your brochure, please call me at (510) 538-0948 and I'll send you one.

## **IN MEMORIAM, PRACTICE FOR SALE**

We note with great regret the passing of Chapter member and Past President (1993-1994) James W. Hassing Jr. EA. The following is taken from the Contra Costa Times:

"James died June 6, 2006 in Walnut Creek, CA. He was born in Nebraska and raised in Washington State where he attended Eastern Washington University on a basketball scholarship. After serving for four years in the U.S. Army during World War II, he moved to CA and graduated from Golden Gate University with a degree in Business Administration. He was a tax accountant and the owner of an accounting and tax practice located in Alamo, CA."

Although a family member is temporarily handling the modest tax and bookkeeping practice, the practice is for sale as a turnkey operation or it can be integrated into an existing practice. Condolences and inquiries may be directed to Jim's office number of (925) 831-8945 or to Lauren Hassing at (925) 708-9746.

## **GOT TOO MANY CLIENTS? WANT MORE CLIENTS?**

Every year, some members hit or exceed their capacity. We just have too many clients and too much work to do. Most of these are good quality clients who have come from good referrals, so we feel guilty about saying "no". How do you scale back to more reasonable working hours without losing the value of these clients?

If you fit this profile, and you want to turn these clients (and maybe some of next year's incoming referrals) over to another EA instead of some unqualified shmoe down the street, please call the Chapter Office. We will put you in contact with some Chapter members who are looking to grow their practices. Suitability, compensation and other issues are up to you to work out – we're matchmakers, not marriage counselors!

Similarly, if you are looking to expand your practice, please give us a call and we'll add you to the corresponding list.

## **NEW EA LOOKING TO HELP YOU**

Yvette Koehler, EA (new member) is willing to do your simple easy returns and take them off your hands. Call (925) 735-2407 or email to [ykoehler@sbcglobal.net](mailto:ykoehler@sbcglobal.net). I thank you very much, Yvette.

## **TAX PRACTICE WANTED**

EA interested in buying a Tax Practice. Will consider immediately buying part or all of a practice, or a gradual multi-year buy-in transition. Prefer Hayward/Castro Valley/Pleasanton and surrounding areas. Contact [mchang402@cs.com](mailto:mchang402@cs.com)

## **TAX PROFESSIONAL WANTED**

Fremont Business Services Firm seeking year-round degreed tax professional to join our firm. We are looking for a team player with over five years experience preparing individual, corporate, LLC and partnership tax returns. Experience in preparing fiduciary and nonprofit returns is helpful. Candidate must be experienced in QuickBooks and the use of tax software. Enrolled Agent or CPA preferred. E-mail resume to [yvonnetbc@aol.com](mailto:yvonnetbc@aol.com) or Fax to 510-657-9503.

## **LEARN ABOUT THE NEW EA EXAM**

*by Donna Miller EA*

The Orange County chapter is hosting an enrolled agent review course. The teacher, Bill Geideman, has volunteered to take the EA test as soon as it is offered in order to get direct experience about the new exam. On Saturday October 14 at 8:30 a.m. he is holding a class to go over the new exam. The fee is \$125. If you know anyone who is interested in learning about the new test and would like to attend this class please have them call Bill at (714) 669-0453. His e-mail: [billstaxx@earthlink.net](mailto:billstaxx@earthlink.net).

## **CALENDAR OF EVENTS**

Mark your calendars

### **September 2006**

- 20 EBAEA Dinner Meeting  
Crowne Plaza Hotel, Pleasanton
- 21 IRS Town Hall Meeting  
Radisson Hotel, Stockton

### **October 2006**

- 18 EBAEA Dinner Meeting  
Crowne Plaza Hotel, Pleasanton

### **November 2006**

- 1-3 EBAEA TaxTalk Seminar  
Crowne Plaza Hotel, Pleasanton
- 15 EBAEA Dinner Meeting  
Crowne Plaza Hotel, Pleasanton

### **December 2006**

- 20 EBAEA Dinner Meeting  
Crowne Plaza Hotel, Pleasanton

## **Small Group Tax Meetings**

- Antioch /Brentwood** Every Fri 8:00am  
Brentwood Café, Brentwood  
**Ken Seamann EA** (925) 634-8297
- San Ramon** 2<sup>nd</sup> Fri, 7:30am  
Contact Bonnie for location  
**Bonnie Buhnerkempe EA** (925) 855-0829
- Danville Area** 4<sup>th</sup> Tues, 9:30am  
Pascals French Oven, 155 Railroad Ave, Danville  
**Michael Power EA** (510) 366-8836
- Livermore Area** 1<sup>st</sup> & 3<sup>rd</sup> Wed, 7:30am  
Beebe's Sports Bar&Grill, 915 Club House Dr, Livermore  
**Richard Goudreau EA** (925) 606-6672
- Oakland/Berkeley** 3<sup>rd</sup> Fri, 10:30am  
Contact Phil for details and location  
**Philip Fiegler EA** (510) 530-1174
- So. Alameda County** 1<sup>st</sup> Wed, 9:30am  
Dino's, 1 block W of I-880 on Industrial Blvd, Hayward  
**Sal Romo EA or Walt Thomas EA** (510) 487-1691

## **PRACTICE MANAGEMENT GROUP?**

*by Duncan Sandiland EA*

Put any three EAs together, and pretty soon we'll start talking about practice management and clients. Some of those conversations can be extremely informative, but there comes a time when talking just isn't adequate. Over the last few months, a surprisingly large number of Chapter members have asked me if we could get together some sort of discussion group which could travel to different members' offices to see how things worked there. That sounds like a grand idea.

Since most of my good ideas were originally learned from other people and then adapted to my own changing needs, I will volunteer to be the guinea pig in this project. We are looking for maybe a half-dozen members willing to have some Chapter members visit their office, conduct a tour and answer question about office procedures and related topics. I expect we'd visit one office per month or thereabouts until the end of this year, and each visit might take from one to three hours, depending on turnout and questions. Note that we can also discuss home offices if interest warrants.

All Chapter members are invited to participate, whether freshly minted, heavily experienced or somewhere in between. We might need to put a limit on how many can comfortably fit into some offices, so please respond early for best selection. Call me at (925) 691-1040 for more details.

## **2006 - 2007 Board of Directors and Committee Chairs**

Web Page <http://www.eastbayea.org>

President: Bonnie Buhnerkempe EA, etc 925-855-0829

1st VP: Thomas Johnston EA 925-828-4500

2nd VP: Walter Nygaard EA, etc 510-547-0440

Treasurer: Clare Flores EA 510-785-8356

Secretary: Peggy Hall EA 925-388-1040

Past President:

Duncan Sandiland EA, etc 925-691-1040

2 Year Directors:

Philip Fiegler EA 510-530-1174

Barbara Sparks EA 925-634-8630

Norman Madge EA 408-398-5737

Charleen Daefield EA, etc 925-872-4075

1 Year Directors:

Janet Bridges EA 510-538-0401

Judi Gilmer EA 925-373-1468

Joanne Harteau EA 510-683-4688

Eleanor Power EA 510-525-9987

Dagmar Bedard EA 510-537-3883

### **Communication Committee, (2<sup>nd</sup> VP)**

**Chair:** Walter Nygaard EA 510-547-0440

Membership: Barbara Sparks EA 925-634-8630

Judi Gilmer EA 925-373-1468

Outreach: (vacant)

Public Affairs: Michael Barrick EA 510-339-7039

Social Affairs: Janet Bridges EA 510-538-0401

CSEA Directors: Thomas Johnston EA 925-828-4500

Walter Nygaard EA 510-547-0440

### **Education Committee, (1<sup>st</sup> VP)**

**Chair:** Tom Johnston EA 925-828-4500

Inter-chapter Liaison: (vacant)

Tax Talk: Diane Jaworski-Faulhaber EA 510-538-0948

Program: Philip Fiegler EA 510-530-1174

Charleen Daefield EA 925-872-4075

Scholarship: Norm Madge EA 510-489-8713

Continuing Ed: Joanne Anderson EA 925-938-9086

Mini Seminar Team: (vacant)

### **Administration Committee (IPP)**

**Chair:** Duncan Sandiland EA 925-691-1040

Audit: Dave Britton EA, etc 510-794-1040

Bylaws/SOP: Sal Romo EA 510-417-9492

Budget & Finance: Walt Thomas EA 510-725-8356

Chapter Off.: Bonnie Buhnerkempe EA 925-855-0829

Legislative Affairs: Lillian Lea EA 510-526-2220

Nominating: Kim Kastl EA 510-537-2122

Strategic Advisory: (vacant)

Bulletin: Eleanor Power EA 510-525-9987

TAX Agency Liaison:

LaRee Jensen-Graham EA 510-601-0409

## **EAST BAY ASSOCIATION OF ENROLLED AGENTS**

POBox 23125

Pleasant Hill, CA 94523

(800) 617-1040

(925) 691-1866

fax (925) 465-7474

e-mail: [ebaean@ebaean.org](mailto:ebaean@ebaean.org)

**CSEA East Bay Chapter  
DISCOUNT CODE: Q521**

Your association receives a donation for each product purchased under this special discount code—and you receive a discounted price on every product! Prices and donation amounts are listed on order form.

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**1040 Quickfinder Handbook**

The Original Quickfinder! Covers all aspects of preparing a 1040 return. FREE— Personal Income Tax Organizer and Deduction Finder®!

**Small Business Quickfinder Handbook**

The first-stop resource for preparing tax returns for every type of small business—partnerships and corporations—plus estate, trusts and tax-exempt organizations. Forms 1065, 1120, 1120S, 1041, 706, 709, 990.

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Complete summary of each state's part-year and nonresident instructions for individual tax returns, with over 500 pages of easy-to-find tabs—eliminates hours spent downloading out-of-state instructions online!

**Accounting and Bookkeeping Quickfinder Handbook**

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- Orders must be received by Dec. 1, 2006 to receive group pricing.
- Payment must be included.
- Make checks payable to Quickfinder.

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**CSEA East Bay Chapter**

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**NEW! Increased Donation Amount**

Every Quickfinder purchase you make earns money for your association! See donation amounts listed below!

Orders must be faxed to (925) 736-3853 or mailed to:

Quickfinder  
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 Q521**

Product	Qty	Reg.	Assoc.	Donation
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Tax Planning for Businesses • Small	11 – 20	\$38		
Business • Depreciation • Accounting and Bookkeeping	21+	\$36	<b>\$33</b>	
		<b>Group price</b>		
<i>All States Quickfinder Handbook (Print or CD)</i>	1	\$76		\$5.00 ea
	2 – 10	\$72		
	11 – 20	\$68		
	21+	\$63	<b>\$58</b>	
		<b>Group price</b>		
Package QF-X (Individuals or Businesses)	Each	\$10	\$9	\$1.00 ea
Tax Tables (Individuals or Businesses)	Each	\$10	\$9	\$1.00 ea
Quickfinder Tax Tips Newsletter	1 yr/12 iss.	\$49	\$45	\$5.00 ea
Handbook-Based Self-Study CPE	Per course	\$22	\$19	\$2.00 ea
Ethics Self-Study CPE	Per course	\$22	\$19	\$2.00 ea
Tax Practice Management CPE (4MDT)	Per course	\$199	\$179	\$5.00 ea

Line	Product	Print Qty	CD Qty	Unit Price	Total
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2					
3					
4					
5					
6					
7	Subtotal: Add lines 1 through 6.				
8	Shipping & Handling: Please see the chart above for s&h costs.				
9	Sales Tax: Add your exact state and local tax. Call 800-510-8997 for assistance.				
10	GRAND TOTAL: Add lines 7, 8 and 9.				

We are placing one group order in order to benefit from the best price.

All orders must be received by Dec. 1, 2006. Payment must be included. Make checks payable to Quickfinder.

