

“Qualified business income” IRC § 199A

- Deduction for 20% of “qualified business income” (business profit)
 - Not wages
- If taxable income > threshold, restrictions
 - Threshold = \$182,100 or \$364,200
 - “Specified service businesses” ineligible (e.g., law, medical, acct’g)
 - Other businesses: Deduction limited based on payroll or property
 - Gradual “phaseout” over \$50K or \$100K above threshold

Depreciation-Based Tax Shelter

	<i>Depreciation deduction</i>	<i>Rental income</i>	<i>Operating profit (loss)</i>
2023	\$20,000	\$ 5,000	(\$15,000)
2024	\$26,667	\$19,000	(\$ 7,667)
2025	\$ 8,889	\$19,000	\$10,111
2026	\$ 4,444	\$19,000	\$14,556
2027	-0-	\$19,000	\$19,000
2028	-0-	\$14,000	\$14,000
<i>Total</i>	<i>\$60,000</i>	<i>\$95,000</i>	<i>\$35,000</i>

With Section 179 Expensing

	<i>Depreciation deduction</i>	<i>Rental income</i>	<i>Operating profit (loss)</i>
2023	\$60,000	\$ 5,000	(\$55,000)
2024	-0-	\$19,000	\$19,000
2025	-0-	\$19,000	\$19,000
2026	-0-	\$19,000	\$19,000
2027	-0-	\$19,000	\$19,000
2028	-0-	\$14,000	\$14,000
<i>Total</i>	<i>\$60,000</i>	<i>\$95,000</i>	<i>\$35,000</i>

IRC § 469

“Passive activity” - IRC § 469(c)

- Trade or business in which taxpayer does not materially participate
 - Example: limited partner - IRC § 469(h)
- Any rental activity
 - Exception: “Mom and Pop” active rental - IRC § 469(i)
 - Exception: Real estate professionals - IRC § 469(c)(7)