



## Tax Home Representation Form

I have completed the Tax Home Status Determination worksheet and consulted with my tax advisor, as I believe appropriate, and now make the following good faith determination (*please check  the most appropriate box below*):

- A.  I maintain a permanent tax home and the address of that tax home is (mandatory, no PO box consistent with my W-4):

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I understand that I will be required to make this representation periodically. If my permanent tax home changes, I must notify the Company immediately. I also understand that as generally required by state tax law (except for certain states with reciprocity), state income taxes will be withheld from my taxable compensation based upon the state of my assignment. In some cases partial withholding will also be required for my tax home state and for a few states, both state taxes must be fully withheld. I further understand that this representation does not guarantee my travel-related expenses will be tax-free, as the commuting and one year limitation rules must also be considered for each assignment.

or

- B.  I do not maintain a permanent tax home. As such, I understand the IRS considers my tax home the area of my temporary assignment.

I understand that without a permanent tax home, all lodging costs, transportation costs, and other travel-related expense paid to me or provided on my behalf will be treated as taxable compensation reported on Form W-2 subject to applicable payroll taxes. I further understand that only the state income tax for the assignment state will be withheld.

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Print Name

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Social Security Number

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Signature

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Date



## Tax Home Determination Worksheet

This worksheet is provided to assist you in determining whether you have a permanent tax home as defined by the IRS in Revenue Ruling 73-529, and therefore determine the tax status of the travel costs provided you or paid on your behalf while on assignment. Because of the critical nature of this determination, we encourage you to consult with a tax advisor. This worksheet is for your personal use and should not be returned to the Company.

Please check  appropriate boxes below:

YES <input type="checkbox"/> NO <input type="checkbox"/>	1. Do you perform a portion of your business or work in the vicinity of your permanent tax home? <i>Many travelers will not meet this requirement, as they do not have regular work or business in the tax home area.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	2. Are you duplicating living expenses (mortgage, rent, utilities, etc.) to maintain the permanent tax home while away from home on assignment? <i>Limited IRS guidance provided, but as a minimum the duplicate expenses to maintain the tax home should exceed \$250 per month.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	3. Do you meet one or more of the following criteria regarding your permanent tax home? <ol style="list-style-type: none"> <li>a. Have a member of your family (spouse, child, or parent) residing with you in the permanent tax home? YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>b. Use the permanent tax home frequently for lodging? <i>Limited IRS guidance provided, but the return home trips should be more than a few times a year and one or more of the trips should be much longer than a long weekend.</i> YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>c. The permanent tax home represents a historical place of lodging? <i>This means the tax home vicinity is where you grew up, went to college, or have recent and long-term ties to the community.</i> YES <input type="checkbox"/> NO <input type="checkbox"/></li> </ol>

**IF** you responded YES to all three questions above, then you have a permanent tax home and should check **Box A** on the Tax Home Representation Form.

**IF** you responded NO to two or more of the three questions above, then you do not have a permanent tax home and must check **Box B** on the Tax Home Representation Form.

**IF** you responded YES to two of the three questions, then you must consider the following potential “facts and circumstances” attributes to determine whether you have a permanent tax home. All questions do not necessarily require a YES answer to secure a favorable result, but certainly the majority should have a YES response, and the first four questions are of particular importance.

YES <input type="checkbox"/> NO <input type="checkbox"/>	• Is the tax home address your address of record for your income tax returns?
YES <input type="checkbox"/> NO <input type="checkbox"/>	• Do you have telephone service at the tax home or is it your primary mailing address?
YES <input type="checkbox"/> NO <input type="checkbox"/>	• Are your auto license plates and driver’s license registered with your tax home city?
YES <input type="checkbox"/> NO <input type="checkbox"/>	• Is the tax home address the address of record for your professional license(s)?
YES <input type="checkbox"/> NO <input type="checkbox"/>	• Is your banking relationship with a bank in your tax home vicinity?
YES <input type="checkbox"/> NO <input type="checkbox"/>	• Are you registered to vote (and actually vote) at your tax home precinct?
YES <input type="checkbox"/> NO <input type="checkbox"/>	• Do you have church, club, or other associations in your tax home vicinity?



## *Other Tax Rules to Consider . . .*

### **One-Year Assignment Limit**

If your assignment (including extensions) or previous assignments (even with a different agency) in the same geographic location is expected to last more than one year without a significant break in service from that area, tax law dictates that the location of your assignment will be your tax home regardless of your permanent tax home status. Then, all transportation, lodging and other travel expenses paid to you or paid on your behalf must be treated as taxable compensation to you. These travel costs become taxable as soon as it becomes known the assignment will last longer than one year. That is, once an assignment has been extended to the point where it will lapse over the one-year anniversary date, the travel expenses will become immediately taxable with the execution of the extension, not on the 366<sup>th</sup> day of the extended contract. A more detailed discussion is available on our website, [www.weatherbylocums.com](http://www.weatherbylocums.com).

### **Commuting**

If you are working on assignment within typical commuting distance from your permanent tax home, transportation and lodging will not be provided. Commuting is generally referred to as within the worker's metropolitan area or broader rural geographic area. It is generally the common-practice, reasonable daily commute for the area. An undocumented, one-way commuting rule of thumb might be as long as 50 miles or 2 hours in an urban or suburban area and 100 miles or 1½ hours for a rural area. If you are returning home more than occasionally during the work week, that would be a strong indicator that the assignment is within commuting distance. A more detailed discussion is available on our website, [www.weatherbylocums.com](http://www.weatherbylocums.com).

*The information contained herein is general in nature and based on authorities that are subject to change. Tax information contained in this document is not intended to be used, and cannot be used, by any person as a basis for avoiding tax penalties that may be imposed by the IRS or any state. We recommend each taxpayer seek advice based on their circumstances from an independent tax advisor.*