



Filing Status



Filing Status

- The filing status determines the amount of the standard deduction, as well as other aspects of the tax return, including tax rates.
- There are five different filing statuses:
 - Single
 - Head of Household
 - Married Filing Jointly (MFJ)
 - Married Filing Separately (MFS)
 - Qualifying Surviving Spouse (QSS)

Filing Status: Single

- Taxpayers may file as **Single** if they are unmarried on the last day of the calendar year.
- Unmarried means:
 1. Never been married,
 2. Divorced, or
 3. Widowed (but not Qualifying Surviving Spouse filing status)

Filing Status: Head of Household

- Taxpayers may qualify for the **Head of Household** filing status, if they:
 1. Are unmarried or “considered unmarried” on the last day of the tax year, **and**
 2. Paid more than half the cost of keeping up a home for the required period of time, **and**
 3. Had a qualifying person living in their home for more than half the year (except for temporary absences, such as school)
- To be considered unmarried: A married taxpayer can **ONLY** claim Head of Household **IF**:
 1. They did not live with their spouse during the entire last 6 months of the year; **and**
 2. They meet the other two criteria, and the qualifying person is only the taxpayer's dependent child, stepchild or eligible foster child.

Filing Status: Head of Household

- The costs of keeping up a home include expenses such as rent, mortgage interest, real estate taxes, insurance on the home, repairs, utilities, and food eaten in the home.
 - Don't include the cost of clothing, education, medical treatment, vacations, life insurance, or transportation. Also, don't include the value of your services or those of a member of your household.
 - Worksheet that can be used on page B-13 of Pub 4012 to help determine if the client paid more than half the cost of keeping up the home
- Qualifying person **must** have lived in the taxpayer's home for more than half the year (at least 183 days).
 - A dependent parent does **not** have to reside with the taxpayer.

Filing Status: Married Filing Jointly (MFJ)

- If two taxpayers are married, they can choose to file a joint return.
 - Married taxpayers who choose to file a joint return will use one return to report their combined income and to deduct combined allowable expenses.
 - Married taxpayers can select this status even if one of the spouses did not have any income or any deductions, or even if they did not live together for the whole year.
 - Note: The taxpayer and their spouse must be at the tax site, exceptions **may** apply. Get your site coordinator involved.
- If one of the spouses died during the tax year, the widow(er) can still file a joint return with the deceased spouse, only if they did not remarry before the end of the year.
- If the couple are returning clients, make sure that the primary taxpayer is the same as in prior years. This ensures that their information is carried forward from last year.

Filing Status: Married Filing Jointly (MFJ)

- Both taxpayers must include all worldwide income on their joint return. They each may be held responsible for all the tax and for any interest or penalty due, even if all the income was earned by only one spouse.
- When a joint return is filed and only one spouse owes a past-due amount, the other spouse may be considered an injured spouse and able to claim their portion of a joint refund.

Filing Status: Married Filing Separately (MFS)

The Married Filing Separately status is for taxpayers who are married, and either:

- Choose to file separate returns, or
- Cannot agree to file a joint return

Taxpayers who file as Married Filing Separately each report their own income and deductions on separate returns.

Generally, the tax law encourages married couples to file a joint return.

- It is not required, but it is more beneficial.

Filing Status: Married Filing Separately (MFS)

There are special rules pertaining to married couples who choose to file separate returns:

- Higher tax rate than MFJ
- NO credit for child and dependent care expenses & Earned Income Tax Credit (unless the taxpayer meets the requirements to be considered unmarried).
- NO Higher Education Credits (American Opportunity or Lifetime Learning)
- NO exclusion or credit for adoption expenses (unless the taxpayer meets the requirements to be considered unmarried)
- NO Student Loan Interest Deduction
- NO exclusion for interest income from qualified U.S. savings bonds used for higher education expenses
- If the taxpayer and spouse lived together at any time in the year, 85% of Social Security Income is taxed
- The MFS filing threshold is \$5, and if one spouse used itemized deductions, both must itemize if they both file as MFS!

Filing Status: Married Filing Separately (MFS)

- Married taxpayers sometimes choose to file separate returns when one spouse does not want to be responsible for the other spouse's tax obligations, or because filing separately may result in a lower total tax.
- Another common reason taxpayers file as Married Filing Separately is to avoid an offset of their refund against their spouse's outstanding debts.
 - This includes past due child support, past due student loans, or a tax liability the spouse incurred before they were married.
 - If married taxpayers want to file separately, and a potential refund offset is the reason, suggest that they file a joint return with Form 8379, Injured Spouse Allocation.

Filing Status: Qualifying Surviving Spouse (QSS)

For the two years following the year of death, the surviving spouse may be able to use the Qualifying Surviving Spouse filing status.

To qualify, the taxpayer **must**:

- Be entitled to file a joint return for the year the spouse died, regardless of whether the taxpayer actually filed a joint return that year.
- Have had a spouse who died in either of the two prior years (2020 or 2021). The taxpayer must not remarry before the end of the current tax year.
- Have a child, stepchild, or adopted child who qualifies as the taxpayer's dependent for the year or would qualify as the taxpayer's dependent except that he or she does not meet the gross income test, or does not meet the joint return test, or except that the taxpayer may be claimed as a dependent of another taxpayer.
 - A foster child and a grandchild do not qualify.
- Live with this child in the taxpayer's home all year, except for temporary absences.
- Have paid more than half the cost of keeping up the home for the year.

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