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This form, instruction, or publication is being revised to reflect legislation enacted December 20, 2019. The updated revision will be posted here as soon as possible. We apologize for the delay and inconvenience. The most recently issued final revision begins on the next page, but, again, is currently being updated.

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Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at www.irs.gov/Form1040; the Pub. 501 page is at www.irs.gov/Pub501; the Form W-4 page is at www.irs.gov/W4; and the Schedule A (Form 1040 or 1040-SR) page is at www.irs.gov/ScheduleA. (If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.) Note that instructions and publications are available from these pages in PDF for printing, HTML for viewing online, and in many cases, in eBook format for mobile viewing (see www.irs.gov/eBook for more details).

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Net Operating Losses (NOLs) for Individuals, Estates, and Trusts

For use in preparing
2018 Returns



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Future Developments

For the latest information about developments related to Pub. 536, such as legislation enacted after it was published, go to [IRS.gov/Pub536](https://www.irs.gov/pub536).

What's New

NOL carryback eliminated. The Tax Cuts and Jobs Act (TCJA), section 13302, eliminated the option for most taxpayers to carry back a net operating loss (NOL). Most taxpayers can only carry NOLs arising from tax years ending after 2017 to a later year. An exception applies to certain farming losses. See section 172(b) or Pub. 225, Farmer's Tax Guide, for more information.

NOL limitation. The NOL deduction cannot exceed 80% of taxable income (determined without any NOL deduction) for losses arising in tax years beginning after 2017. For more information, see the Instructions for Form 1045.

Annual losses limited. The TCJA, section 11012, amended section 461 to limit the amount of losses from the trades or businesses of noncorporate taxpayers that the taxpayer can claim each year. Taxpayers can't deduct overall net business losses that are more than a threshold amount in the current year. The amount of the excess business loss is treated

as an NOL carryover in the subsequent year. Use Form 461 to figure the excess business loss.

Reminder

Photographs of missing children. The IRS is a proud partner with the [National Center for Missing & Exploited Children® \(NCMEC\)](#). Photographs of missing children selected by the Center may appear in this publication on pages that would otherwise be blank. You can help bring these children home by looking at the photographs and calling 1-800-THE-LOST (1-800-843-5678) if you recognize a child.

Introduction

If your deductions for the year are more than your income for the year, you may have a net operating loss (NOL). An NOL year is the year in which an NOL occurs. You can use an NOL by deducting it from your income in another year or years.

What this publication covers. This publication discusses NOLs for individuals, estates, and trusts. It covers:

- How to figure an NOL,
- When to use an NOL,
- How to claim an NOL deduction, and
- How to figure an NOL carryover.

To have an NOL, your loss must generally be caused by deductions from your:

- Trade or business,
- Work as an employee (although not deductible for most taxpayers in 2018),
- Casualty and theft losses resulting from a federally declared disaster,
- Moving expenses (although not deductible for most taxpayers in 2018), or
- Rental property.

A loss from operating a business is the most common reason for an NOL.

Partnerships and S corporations generally cannot use an NOL. However, partners or shareholders can use their separate shares of the partnership's or S corporation's business income and business deductions to figure their individual NOLs.

Keeping records. You should keep records for any tax year that generates an NOL for 3 years after the **later** of the NOL year or the last year in which you used the carryforward.



You should attach all required documents to the Form 1045 or Form 1040X. For details, see the instructions for Form 1045 or Form 1040X.

What is not covered in this publication?

The following topics are not covered in this publication.

- Bankruptcies. See Pub. 908, Bankruptcy Tax Guide.
- NOLs of corporations. See Pub. 542, Corporations.

Section references. Section references are to the Internal Revenue Code unless otherwise noted.

Comments and suggestions. We welcome your comments about this publication and your suggestions for future editions.

You can send us comments through [IRS.gov/FormComments](#). Or you can write to:

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Although we can't respond individually to each comment received, we do appreciate your feedback and will consider your comments as we revise our tax forms, instructions, and publications.

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Tax questions. If you have a tax question not answered by this publication, check [IRS.gov](#) and *How To Get Tax Help* at the end of this publication.

Useful Items

You may want to see:

Form (and Instructions)

- 1040X** Amended U.S. Individual Income Tax Return
- 1045** Application for Tentative Refund
- 461** Limitation on Business Losses

See [How To Get Tax Help](#) at the end of this publication for information about getting these forms.

NOL Steps

Follow Steps 1 through 5 to figure and use your NOL.

Step 1. Complete your tax return for the year. You may have an NOL if a negative amount appears in these cases.

- Individuals—You subtract your standard deduction or itemized deductions from your adjusted gross income (AGI).

- Estates and trusts—You combine taxable income, charitable deductions, income distribution deduction, and exemption amounts from your Form 1041.

Step 2. Determine whether you have an NOL and its amount. See [How To Figure an NOL](#), later. If you do not have an NOL, stop here.

Step 3. Determine whether you are eligible to carry the NOL back or instead must carry the NOL forward to a future year. See [When To Use an NOL](#), later.

Step 4. Deduct the NOL in the carryback or carryforward year. See [How To Claim an NOL Deduction](#), later.

Step 5. Determine the amount of your unused NOL. See [How To Figure an NOL Carryover](#), later. Carry over the unused NOL to the next carryback or carryforward year and begin again at Step 4.

Note. If your NOL deduction includes more than one NOL amount, apply Step 5 separately to each NOL amount, starting with the amount from the earliest year.

How To Figure an NOL

If your deductions for the year are more than your income for the year, you may have an NOL.

There are rules that limit what you can deduct when figuring an NOL. In general, the following items are not allowed when figuring an NOL.

- Capital losses in excess of capital gains.
- The section 1202 exclusion of the gain from the sale or exchange of qualified small business stock.
- Nonbusiness deductions in excess of non-business income.
- The NOL deduction.
- The section 199A deduction for qualified business income.
- The section 199 deduction for income attributable to domestic production activities.

Worksheet 1. Figuring Your NOL. Use Worksheet 1 to figure your NOL. The following discussion explains Worksheet 1. The same amounts can be entered in Schedule A (Form 1045) for certain farmers. See the Instructions for Form 1045. If line 1 is a negative amount, you may have an NOL.

Worksheet 1. Figuring Your NOL

Keep for Your Records



1. For individuals, subtract your standard deduction or itemized deductions from your AGI and enter it here. For estates and trusts, enter taxable income increased by the total of the charitable deduction, income distribution deduction, and exemption amount. See instructions **1.** _____
2. Nonbusiness capital losses before limitation. Enter as a positive number **2.** _____
3. Nonbusiness capital gains (without regard to any section 1202 exclusion) **3.** _____
4. If line 2 is more than line 3, enter the difference. Otherwise, enter -0- **4.** _____
5. If line 3 is more than line 2, enter the difference. Otherwise, enter -0- **5.** _____
6. Nonbusiness deductions (see *Nonbusiness deductions* under *How To Figure an NOL*, later). Enter as a positive number **6.** _____
7. Nonbusiness income other than capital gains (see *Nonbusiness income* under *How To Figure an NOL*, later) **7.** _____
8. Add lines 5 and 7 **8.** _____
9. If line 6 is more than line 8, enter the difference. Otherwise, enter -0- **9.** _____
10. If line 8 is more than line 6, enter the difference. Otherwise, enter -0-. But don't enter more than line 5 **10.** _____
11. Business capital losses before limitation. Enter as a positive number **11.** _____
12. Business capital gains (without regard to any section 1202 exclusion) **12.** _____
13. Add lines 10 and 12 **13.** _____
14. Subtract line 13 from line 11. If zero or less, enter -0- **14.** _____
15. Add lines 4 and 14 **15.** _____
16. Enter the loss, if any, from line 16 of your 2018 Schedule D (Form 1040). Estates and trusts, enter the loss, if any, from line 19, column (3), of Schedule D (Form 1041). Enter as a positive number. If you don't have a loss on that line (and don't have a section 1202 exclusion), skip lines 16 through 21 and enter on line 22 the amount from line 15 **16.** _____
17. Section 1202 exclusion. Enter as a positive number **17.** _____
18. Subtract line 17 from line 16. If zero or less, enter -0- **18.** _____
19. Enter the loss, if any, from line 21 of your 2018 Schedule D (Form 1040). Estates and trusts, enter the loss, if any, from line 20 of Schedule D (Form 1041). Enter as a positive number. **19.** _____
20. If line 18 is more than line 19, enter the difference. Otherwise, enter -0- **20.** _____
21. If line 19 is more than line 18, enter the difference. Otherwise, enter -0- **21.** _____
22. Subtract line 20 from line 15. If zero or less, enter -0- **22.** _____
23. Domestic production activities deduction from your 2018 tax return **23.** _____
24. NOL deduction for losses from other years. Enter as a positive number **24.** _____
25. **NOL. Combine lines 1, 9, 17, and 21 through 24. If the result is less than zero, enter it here. If the result is zero or more, you don't have an NOL** **25.** _____

Nonbusiness capital losses (line 2). Don't include on this line any section 1202 exclusion amounts (even if entered as a loss on Schedule D (Form 1041)).

Nonbusiness deductions (line 6). Enter as a positive number on line 6 deductions that are not connected to your trade or business or your employment. Examples of deductions not related to your trade or business are:

- Alimony paid,
- Deductions for contributions to an individual retirement account (IRA) or a self-employed retirement plan,
- Health savings account deduction,
- Archer medical savings account deduction,
- Most itemized deductions (except for casualty and theft losses resulting from a federally declared disaster and state income tax on trade or business income), and
- The standard deduction.

Do not enter business deductions on line 6. These are deductions that are connected to your trade or business. They include the following.

- State income tax on income from your trade or business (including wages, salary, and unemployment compensation).
- Moving expenses.
- Educator expenses.
- The deduction for the deductible part of self-employed health insurance and the deduction for the deductible part of self-employment tax.
- Domestic production activities deduction.
- Rental losses.
- Loss on the sale or exchange of business real estate or depreciable property.
- Your share of a business loss from a partnership or an S corporation.
- Ordinary loss on the sale or exchange of section 1244 (small business) stock.
- Ordinary loss on the sale or exchange of stock in a small business corporation or a small business investment company.
- If you itemize your deductions, casualty and theft losses resulting from a federally declared disaster (even if they involve non-business property).
- Loss on the sale of accounts receivable (if you use an accrual method of accounting).
- Interest and litigation expenses on state and federal income taxes related to your business.
- Unrecovered investment in a pension or annuity claimed on a decedent's final return.
- Payment by a federal employee to buy back sick leave used in an earlier year.

Nonbusiness income (line 7). Enter on line 7 only income that is not related to your trade or business or your employment. This includes the following.

- Your taxable IRA distributions.
- Pension benefits.
- Social security benefits.
- Annuity income.
- Dividends.
- Interest on investments.
- Your share of nonbusiness income from a partnership or an S corporation.

Do not include on line 7 the income you receive from your trade or business or your employment. This includes the following.

- Salaries and wages.
- Self-employment income.
- Unemployment compensation.
- Rental income.
- Ordinary gain from the sale or other disposition of business real estate or depreciable business property.
- Your share of business income from a partnership or an S corporation.

Adjustment for section 1202 exclusion (line 17). Enter as a positive number on line 17 any gain you excluded under section 1202 on the sale or exchange of qualified small business stock.

Adjustments for capital losses (lines 19–22). The amount deductible for capital losses is limited based on whether the losses are business capital losses or nonbusiness capital losses.

You can deduct your nonbusiness capital losses (line 2) only up to the amount of your nonbusiness capital gains without regard to any section 1202 exclusion (line 3). If your nonbusiness capital losses are more than your nonbusiness capital gains without regard to any section 1202 exclusion, you cannot deduct the excess.

You can deduct your business capital losses (line 11) only up to the total of:

- Your nonbusiness capital gains that are more than the total of your nonbusiness capital losses and excess nonbusiness deductions (line 10), and
- Your total business capital gains without regard to any section 1202 exclusion (line 12).

Domestic production activities deduction (line 23). You cannot take the domestic production activities deduction when figuring your NOL. Enter as a positive number on line 23 any domestic production activities deduction claimed on your return.

NOLs from other years (line 24). You cannot deduct any NOL carryovers or carrybacks from other years. Enter the total amount of your NOL deduction for losses from other years.

A taxpayer may elect under section 965(n) to reduce the amount of the NOL for a tax year determined under section 172 and the amount of taxable income reduced by NOL carryovers or carrybacks to such tax year under section 172. The amount of the reduction is equal to the amount of the section 965(a) inclusion (net of the section 965(c) deduction) plus, in the case of a domestic corporation that claims a credit for deemed paid foreign taxes, the section 78 gross up with respect to the foreign taxes deemed paid with respect to the section 965(a) inclusion. If, as a result of an election under section 965(n), the taxable income reduced by NOL carryovers or carrybacks is reduced, the NOL deduction is reduced by the reduction amount. See section 965(n) for more information.

Worksheet 1. Figuring Your NOL Example

The following example describes how to figure an NOL.

Example. Glenn Johnson is in the retail record business. He is single and has the following income and deductions on his Form 1040 for 2018.

INCOME	
Wages from part-time job	\$1,225
Interest on savings	425
Net long-term capital gain on sale of real estate used in business	2,000
Glenn's total income	\$3,650

DEDUCTIONS	
Net loss from business (gross income of \$67,000 minus expenses of \$72,000)	\$5,000
Net short-term capital loss on sale of stock	1,000
Standard deduction	12,000
Glenn's total deductions	\$18,000

Glenn's deductions exceed his income by \$14,350 (\$18,000 – \$3,650). However, to figure whether he has an NOL, certain deductions are not allowed. He uses Worksheet 1 to figure his NOL.

The following items are not allowed on Worksheet 1.

Nonbusiness net short-term capital loss	\$1,000
Nonbusiness deductions (standard deduction, \$12,000) minus nonbusiness income (interest, \$425)	11,575
Total adjustments to net loss	\$12,575

Therefore, Glenn's NOL for 2018 is figured as follows.

Glenn's total 2018 income	\$3,650
Less:	
Glenn's original 2018 total deductions	\$18,000
Reduced by the disallowed items	– 12,575
	– 5,425
Glenn's NOL for 2018	\$1,775

When To Use an NOL

Generally, if you have an NOL for a tax year ending in 2018, you must carry the loss forward to future years. You may carry the losses forward indefinitely.

NOL year. This is the year in which the NOL occurred.

Exception to the No Carryback Rule

Farming losses, defined next, qualify for a 2-year carryback period. Only the farming loss part of an NOL can be carried back 2 years.

Farming loss. A farming loss is the smaller of:

1. The amount that would be the NOL for the tax year if only income and deductions from farming businesses were taken into account, or
2. The NOL for the tax year.

Note. For tax years beginning after 2017, allowable losses from all of a taxpayer's trades or businesses are limited to the amount of income earned from those businesses plus \$250,000 (\$500,000 for joint returns). For most taxpayers, this means that the NOL carryback won't exceed \$250,000 (\$500,000 for joint returns). See the Instructions for Form 461.

Farming business. A farming business is a trade or business involving cultivation of land or the raising or harvesting of any agricultural or horticultural commodity. A farming business can include operating a nursery or sod farm or raising or harvesting most ornamental trees or trees bearing fruit, nuts, or other crops. The raising, shearing, feeding, caring for, training, and management of animals is also considered a farming business.

A farming business does not include contract harvesting of an agricultural or horticultural commodity grown or raised by someone else. It also does not include a business in which you merely buy or sell plants or animals grown or raised entirely by someone else.

Waiving the Carryback Period

You can choose not to carry back your farming loss. If you make this choice, then you can carry your NOL (including the part that is attributable to farming) forward indefinitely until it is fully absorbed.

To make this choice, attach a statement to your original return filed by the due date (including extensions) for the NOL year. This statement must show that you are choosing to waive the carryback period under section 172(b).

If you filed your original return on time but did not file the statement with it, you can make this choice on an amended return filed within 6 months of the due date of the return (excluding extensions). Attach a statement to your amended return, and write "Filed pursuant to section 301.9100-2" at the top of the statement.

Once you choose to waive the carryback period, it generally is irrevocable. If you choose to waive the carryback period for more than one NOL, you must make a separate choice and attach a separate statement for each NOL year.



If you do not file this statement on time, you cannot waive the carryback period.

How To Carry an NOL Back or Forward

If you choose to carry back a farming loss, you must first carry the entire farming loss to the earliest carryback year. If the farming loss is not used up, you can carry the rest to the next earliest carryback year, and so on.

If you waive the carryback period or do not use up all of the farming loss in the carryback period, you will have an NOL that can be carried forward indefinitely until used up. This NOL will be equal to the sum of what remains of the farming loss, plus any nonfarm NOL, plus any excess business loss for the NOL year (see [Excess Business Loss](#), later). Start by carrying the NOL to the first tax year after the NOL year. If you do not use it up, carry the unused part to the next year. Continue to carry any unused part of the NOL forward until the NOL is used up.

Example 1. You started your farming business as a sole proprietor in 2018 and had a \$42,000 NOL for the year. No part of the NOL is from another business activity. You begin using your NOL in 2016, the second year before the NOL year, as shown in the following chart.

Year	Carryback/ Carryover	Unused Loss
2016	\$42,000	\$40,000
2017	40,000	37,000
2018 (NOL year)		
2019	37,000	31,500
2020	31,500	22,500
2021	22,500	12,700
2022	12,700	4,000
2023	4,000	-0-

If your loss were larger, you could carry it forward indefinitely together with any excess business losses (see [Excess Business Loss](#), later) and any NOL from a nonfarm activity.

Example 2. You started your farming business as a sole proprietor in 2018 and had a \$42,000 NOL for the year. No part of this NOL is from another business activity. In earlier years, you operated a nonfarming business and had taxable income of \$2,000 in 2016 and \$5,000 in 2017. The \$42,000 farming loss is eligible for the 2-year carryback (subject to limitations), as shown in the following chart. There are no NOL carryovers or carrybacks to 2016 and 2017 other than the 2018 NOL. The deduction of the 2018 NOL in 2016 is limited to \$1,600. This is the lesser of the 2018 NOL carryback to 2016 (\$42,000) or 80% of 2016 taxable income of \$2,000 before taking into account any NOL deduction for 2016. The amount of the 2018 NOL that is deductible in 2017 is limited to \$4,000. This is the lesser of the 2018 NOL carryback to 2017 (\$40,400) or 80% of 2017 taxable income of \$5,000 before taking into account any NOL deduction for 2017.

Year	80% of Taxable Income	Carryback/ Carryover	Unused Loss
2016	\$1,600	\$42,000	\$40,400
2017	4,000	40,400	36,400
2018 (NOL year)			
2019		36,400	

How To Claim an NOL Deduction

If you have not already carried the NOL to an earlier year, your NOL deduction for the carryover year is equal to the sum of:

1. Any unused NOLs from tax years beginning before 2018; plus
2. The lesser of:
 - a. The NOL from the tax year beginning after 2017, which includes any part of the NOL attributable to an excess business loss; or
 - b. 80% of taxable income for the carryover year determined before any NOL deduction.

Only NOLs from tax years beginning after 2017 are subject to the 80%-of-taxable-income limit. However, to determine what 80% of taxable income would be without taking into account any NOL deduction, exclude any NOL carryovers from a tax year beginning after 2017 as well as any NOL carryovers from tax years beginning before 2018.

The total amount of any NOL deduction for a tax year that is attributable to NOLs from tax years beginning after 2017 can't exceed 80% of taxable income for the tax year determined before any NOL deduction.

NOL exceeding 80% of taxable income. If your NOL for the tax year beginning after 2017 is more than 80% of the taxable income for the carryover year determined without any NOL deduction, you will have an NOL carryover to the next year. See [How To Figure an NOL Carryover](#), later, to figure how much NOL you have used and how much you carry to the next year.

Deducting a Carryback

If you carry back your NOL, you can use either Form 1045 or Form 1040X. You can get your refund faster by using Form 1045, but you have a shorter time to file it. You can use Form 1045 to apply an NOL to all carryback years. If you use Form 1040X, you must use a separate Form 1040X for each carryback year to which you apply the NOL.

Estates and trusts that do not file Form 1045 must file an amended Form 1041 (instead of Form 1040X) for each carryback year to which NOLs are applied. Use a copy of the appropriate year's Form 1041, check the "Net operating loss carryback" box, and follow the Form 1041 instructions for amended returns. Include the NOL deduction with other deductions not subject to the 2% limit (line 15a). Also, see the special procedures for filing an amended return due to an NOL carryback, explained under [Form 1040X](#), later.


Form 1045. You can apply for a quick refund by filing Form 1045. This form results in a tentative adjustment of tax in the carryback year.

If the IRS refunds or credits an amount to you from Form 1045 and later determines that

the refund or credit is too much, the IRS may assess and collect the excess immediately.

Generally, you must file Form 1045 on or after the date you file your tax return for the NOL year, but not later than 1 year after the end of the NOL year. If the last day of the NOL year falls on a Saturday, Sunday, or holiday, the form will be considered timely filed if postmarked on the next business day. For example, if you are a calendar year taxpayer with a carryback from 2018 to 2016, you must file Form 1045 on or after the date you file your tax return for 2018, but no later than December 31, 2019.

Form 1040X. If you do not file Form 1045, you can file Form 1040X to get a refund of tax because of an NOL carryback. Generally, file Form 1040X for the carryback year within 3 years after the due date, including extensions, for filing the return for the NOL year. For example, if you are a calendar year taxpayer, you must generally file a claim for refund because of an NOL carryback from 2016 by April 18, 2020 (3 years after the due date for the NOL return).

 **Filing Form 1040X does not extend the carryback period. See [When to Use an NOL](#), earlier.**

Attach a computation of your NOL using Form 1045, Schedule A, and, if it applies, your NOL carryover using [Form 1045, Schedule B](#), discussed later.

The deduction of a farming loss carryback from a period ending after 2017 is limited to the smaller of:

1. The farming loss (treat as a positive number for this comparison), or
2. 80% of taxable income for the carryback year determined without regard to any NOL deduction.

Use this limited amount on Form 1045, line 10, discussed under [Refiguring your tax](#), later.

Example 1. An individual taxpayer operates a farming business and incurs an NOL of \$50,000 for 2018. \$25,000 of the NOL is from nonfarming business. The taxpayer can carryback the \$25,000 farming loss 2 years; the \$25,000 nonfarming loss is not eligible for carryback but is carried forward to 2019. The NOL deduction for 2016 is limited to 80% of taxable income (determined without regard to any NOL carryover or carryback to 2016).

Total 2018 NOL	\$50,000
2018 NOL subject to carryback	\$25,000 (farming loss)
2016 taxable income without any NOL deduction	\$100,000
80% limitation of 2016 taxable income	\$80,000
2016 NOL deduction	\$25,000 (the lesser of the 80% taxable income limitation or the NOL carryback to 2016 from 2018)
If there is no income in 2017, 2018 carryforward to 2019	\$25,000 (nonfarming loss)

Example 2. An individual taxpayer operates a farming business and incurs an NOL of \$150,000 for 2018. \$25,000 of the NOL is from a nonfarming business. The \$125,000 farming loss is eligible for the 2-year carryback (subject to the limitations). The \$25,000 nonfarming loss is not eligible for carryback but is carried forward to 2019. The deduction of the 2018 NOL in 2016 is limited to 80% of the 2016 taxable income of \$100,000 (determined without regard to any NOL deduction). In addition, the taxpayer has an NOL carryover from 2015 to 2016 of \$40,000. The 2015 NOL is not subject to the 80%-of-taxable-income limit. The taxpayer's total NOL deduction for 2016 is \$120,000 (\$80,000 plus \$40,000). However, only \$100,000 of this NOL deduction is used to reduce 2016 taxable income to zero. (The \$40,000 NOL from 2015 reduces taxable income to \$60,000, and \$60,000 of the farming loss from 2018 is used to reduce taxable income to zero). The taxpayer's taxable income for 2017 (determined without regard to any NOL deduction) is zero. No NOLs are used in 2017. The total NOL carryover to 2019 is \$90,000 (\$25,000 nonfarming loss and \$65,000 of unused 2018 farming loss). The following chart summarizes this example.

Total 2018 NOL	\$150,000
2018 NOL eligible for carryback	\$125,000 (farming loss)
2016 taxable income without any NOL deduction	\$100,000
2017 taxable income without any NOL deduction	\$0
NOL carryforward from 2015	\$40,000
80% limitation of 2016 taxable income	\$80,000
2016 taxable income after 2015 NOL carryover is used	\$60,000
2016 NOL deduction	\$120,000 (\$40,000 from 2015 carryover + \$80,000 from 2018 farm loss), although only \$100,000 is used
2018 carryforward to 2019	\$90,000 (\$65,000 from unused farm loss + \$25,000 from 2018 nonfarming loss)

Refiguring your tax. To refigure your total tax liability for a carryback year, first refigure your AGI for that year. (On Form 1045, use lines 10 and 11 and the "After carryback" column for the applicable carryback year.) Use your AGI after applying the NOL deduction to refigure income or deduction items that are based on, or limited to, a percentage of your AGI. Refigure the following items.

1. The special allowance for passive activity losses from rental real estate activities.
2. Taxable social security and tier 1 railroad retirement benefits.
3. IRA deductions.
4. Excludable savings bond interest.
5. Excludable employer-provided adoption benefits.
6. The student loan interest deduction.
7. The tuition and fees deduction.

If more than one of these items apply, refigure them in the order listed above, using your AGI after applying the NOL deduction and any previous item. (If you are using Form 1045, enter your NOL deduction on line 10. On line 11, using the "After carryback" column, enter your AGI refigured after applying the NOL deduction and after refiguring any above items.)

Next, refigure your taxable income. (On Form 1045, use lines 12 through 15 and the "After carryback" column.) Use your refigured AGI (Form 1045, line 11, using the "After carryback" column) to refigure certain deductions and other items that are based on or limited to a percentage of your AGI. Refigure the following items.

- The itemized deduction for medical expenses.
- The itemized deduction for qualified mortgage insurance premiums.

- The itemized deduction for casualty losses.
- Miscellaneous itemized deductions subject to the 2% limit.
- The overall limit on itemized deductions.
- The phaseout of the deduction for exemptions.



Do not refigure the itemized deduction for charitable contributions, even if you refigure your AGI. Also, since you do not decrease your charitable contributions, do not increase your charitable contributions carryover.

Finally, use your refigured taxable income (Form 1045, line 15, using the “After carryback” column) to refigure your total tax liability. Refigure your income tax, your alternative minimum tax, and any credits that are based on or limited by your AGI, modified AGI (MAGI), or tax liability. (On Form 1045, use lines 16 through 30, and the “After carryback” column.) The earned income credit, for example, may be affected by changes to AGI or the amount of tax (or both) and, therefore, must be refigured. If you become eligible for a credit because of the carryback, complete the form for that specific credit (such as the EIC Worksheet) for that year.

While it is necessary to refigure your income tax, alternative minimum tax, and credits, do not refigure your self-employment tax and additional Medicare tax. For information about refiguring your net investment income tax, shared responsibility payment, and credits, see the Instructions for Form 1045.

Deducting a Carryforward

If you carry forward your NOL to a tax year after the NOL year, list your NOL deduction as a negative figure on the “Other income” line of Schedule 1 (Form 1040) or Form 1040NR (line 21 for 2018). Estates and trusts, include an NOL deduction on Form 1041, line 15b, for 2018.

You must attach a statement that shows all the important facts about the NOL. Your statement should include a computation showing how you figured the NOL deduction. If you deduct more than one NOL in the same year, your statement must cover each of them.

Change in Marital Status

If you and your spouse were not married to each other in all years involved in figuring NOL carrybacks and carryovers, only the spouse who had the loss can take the NOL deduction. If you file a joint return, the NOL deduction is limited to the income of that spouse.

For example, if your marital status changes because of death or divorce, and in a later year you have an NOL, you can carry back that loss only to the part of the income reported on the joint return (filed with your former spouse) that was related to your taxable income. After you deduct the NOL in the carryback year, the joint rates apply to the resulting taxable income.

Refund limit. If you are not married in the NOL year (or are married to a different spouse), and in the carryback year you were married and

filed a joint return, your refund for the overpaid joint tax may be limited. You can claim a refund for the difference between your share of the refigured tax and your contribution toward the tax paid on the joint return. The refund cannot be more than the joint overpayment. Attach a statement showing how you figured your refund.

Figuring your share of a joint tax liability. There are five steps for figuring your share of the refigured joint tax liability.

1. Figure your total tax as though you had filed as married filing separately.
2. Figure your spouse's total tax as though your spouse also had filed as married filing separately.
3. Add the amounts in (1) and (2).
4. Divide the amount in (1) by the amount in (3).
5. Multiply the refigured tax on your joint return by the amount figured in (4). This is your share of the joint tax liability.

Figuring your contribution toward tax paid. Unless you have an agreement or clear evidence of each spouse's contributions toward the payment of the joint tax liability, figure your contribution by adding the tax withheld on your wages and your share of joint estimated tax payments or tax paid with the return. If the original return for the carryback year resulted in an overpayment, reduce your contribution by your share of the tax refund. Figure your share of a joint payment or refund by the same method used in figuring your share of the joint tax liability. Use your taxable income as originally reported on the joint return in steps 1 and 2 above, and substitute the joint payment or refund for the refigured joint tax in step 5.

Change in Filing Status

If you and your spouse were married and filed a joint return for each year involved in figuring NOL carrybacks and carryovers, figure the NOL deduction on a joint return as you would for an individual. However, treat the NOL deduction as a joint NOL.

If you and your spouse were married and filed separate returns for each year involved in figuring NOL carrybacks and carryovers, the spouse who sustained the loss may take the NOL deduction on a separate return.

Special rules apply for figuring the NOL carrybacks and carryovers of married people whose filing status changes for any tax year involved in figuring an NOL carryback or carryover.

Separate to joint return. If you and your spouse file a joint return for a carryback or carryforward year, and were married but filed separate returns for any of the tax years involved in figuring the NOL carryback or carryover, treat the separate carryback or carryover as a joint carryback or carryover.

Joint to separate returns. If you and your spouse file separate returns for a carryback or carryforward year, but filed a joint return for any

or all of the tax years involved in figuring the NOL carryover, figure each of your carryovers separately.

Joint return in NOL year. Figure each spouse's share of the joint NOL through the following steps.

1. Figure each spouse's NOL as if he or she filed a separate return. See [How To Figure an NOL](#), earlier. If only one spouse has an NOL, stop here. All of the joint NOL is that spouse's NOL.
2. If both spouses have an NOL, multiply the joint NOL by a fraction, the numerator of which is spouse A's NOL figured in (1) and the denominator of which is the total of the spouses' NOLs figured in (1). The result is spouse A's share of the joint NOL. The rest of the joint NOL is spouse B's share.

Example 1. Mark and Nancy are married and file a joint return for 2018. They have an NOL of \$5,000 from a farming business. They carry the NOL back to 2016, a year in which Mark and Nancy filed separate returns. Figured separately, Nancy's 2018 deductions were more than her income, and Mark's income was more than his deductions. Mark does not have any NOL to carry back. Nancy can carry back the entire \$5,000 NOL to her 2016 separate return.

Example 2. Assume the same facts as in [Example 1](#), except that both Mark and Nancy had deductions in 2018 that were more than their income. Figured separately, his NOL is \$1,800 and her NOL is \$3,000. The sum of their separate NOLs (\$4,800) is less than their \$5,000 joint NOL because his deductions included a \$200 net capital loss that is not allowed in figuring his separate NOL. The loss is allowed in figuring their joint NOL because it was offset by Nancy's capital gains. Mark's share of their \$5,000 joint NOL is \$1,875 ($\$5,000 \times \$1,800/\$4,800$) and Nancy's is \$3,125 ($\$5,000 - \$1,875$).

How To Figure an NOL Carryover

If your NOL is more than 80% of your taxable income (100% for losses arising in tax years beginning before 2018) for the year to which you carry it (figured before deducting any NOL), you may have an NOL carryover or carryback to the next tax year. You must make certain modifications to your taxable income to determine how much NOL you will use up in the year and how much you can carry to the next tax year. The amount you can carry to the next tax year generally is the excess of the amount of your NOL carried to the tax year over your modified taxable income for the carryback or carryforward year. However, for NOLs arising in tax years beginning after 2017, if the deductible amount of the NOL is less than your modified taxable income because of the 80%-of-taxable-income limit, the amount of your NOL used in that year is no more than the deductible amount of the NOL. In that case, your NOL carryover or carryback to the next tax year would be the excess of the NOL carried to the tax year over the

amount of the NOL deducted. If your NOL deduction includes more than one NOL, determine how much of each NOL is used in the tax year in the same order in which you incurred them starting with the earliest.

Modified taxable income. Your modified taxable income is your taxable income figured with the following changes.

1. You cannot claim an NOL deduction for the NOL carryover you are figuring or for any later NOL.
2. You cannot claim a deduction for capital losses in excess of your capital gains. Also, you must increase your taxable income by the amount of any section 1202 exclusion.
3. You cannot claim the domestic production activities deduction.
4. You cannot claim a deduction for your exemptions for yourself, your spouse, or dependents.
5. You must figure any item affected by the amount of your AGI after making the changes in (1), (2), and (3) above, and certain other changes to your AGI that result from (1), (2), and (3). This includes income and deduction items used to figure AGI (for example, IRA deductions), as well as certain itemized deductions. To figure a charitable contribution deduction, do not include deductions for NOL carrybacks in the change in (1) but do include deductions for NOL carryforwards from tax years before the NOL year.

Your taxable income as modified cannot be less than zero.

Form 1045, Schedule B. You can use Form 1045, Schedule B, to figure your modified taxable income for carryback years and your carryover from each of those years. For tax years ending after 2017, only losses from farming businesses can be carried back. Do not use Form 1045, Schedule B, for a carryforward year. If your 2018 return includes an NOL deduction from an NOL year before 2018 that reduced your taxable income to zero (to less than zero, if an estate or trust), see [NOL Carryover From 2018 to 2019](#) below.

NOL Carryover From 2018 to 2019

If you had an NOL deduction carried forward from a year before 2018 that resulted in your having taxable income on your 2018 return of zero (or less than zero, if an estate or trust), complete [Worksheet 2](#) on the next page. It will help you figure your NOL to carry to 2019. Keep the worksheet for your records.

For NOL year 2018, complete [Worksheet 3](#) to figure the carryover from 2018. Keep the worksheet for your records.

Worksheet Instructions

Worksheet 2 instructions. Use Worksheet 2 to figure your carryover to 2019 if you had an NOL deduction from a year before 2018 that resulted in your having taxable income on your 2018 return of zero or less. If your taxable income is still positive after application of the NOL deduction, there is no carryover to 2019.

At the top of the worksheet, enter the NOL year for which you are figuring the carryover.

More than one NOL. If your 2018 NOL deduction includes amounts for more than one loss year, complete this worksheet only for one loss year. To determine which year, start with your earliest NOL and subtract each NOL separately from your taxable income figured without the NOL deduction. Complete this worksheet for the earliest NOL that results in your having taxable income below zero. Your NOL carryover to 2019 is the total of the amount on line 10 of the worksheet and all later NOL amounts.

Example. Your taxable income for 2018 is \$5,000 without your \$9,000 NOL deduction. Your NOL deduction includes a \$2,000 carryover from 2016 and a \$7,000 carryover from 2017. Subtract your 2016 NOL of \$2,000 from \$5,000. This gives you taxable income of \$3,000. Your 2016 NOL is now completely used up. Subtract your \$7,000 2017 NOL from \$3,000. This gives you taxable income of (\$4,000). You now complete the worksheet for your 2017 NOL. Your NOL carryover to 2019 is the unused part of your 2017 NOL from line 10 of the worksheet.

Line 1. Enter as a positive number the NOL carryover from the NOL year identified.

Line 2. Enter your taxable income without the NOL deduction for the year listed at the top of Worksheet 2, but with the NOL deduction from any prior year.

Line 7. You must refigure the following income and deductions based on AGI.

1. The special allowance for passive activity losses from rental real estate activities.
2. Taxable social security and tier 1 railroad retirement benefits.
3. IRA deductions.
4. Excludable savings bond interest.
5. Excludable employer-provided adoption benefits.
6. The student loan interest deduction.

If none of these items apply to you, enter zero on line 7. Otherwise, increase your AGI by the total of lines 3 through 6 and your NOL deduction for the NOL year entered at the top of the worksheet and later years. Using this increased AGI, refigure the items that apply, in the order listed above. Your adjustment for each item is the difference between the refigured amount and the amount included on your return. Combine the adjustments for previous items with your AGI before refiguring the next item. Keep a record of your computations.

Enter your total adjustments for the above items on line 7.

Line 8. Enter zero if you claimed the standard deduction and the amounts on lines 3 through 6 are zero. Otherwise, use lines 11 through 27 of the worksheet to figure the amount to enter on this line. Complete only those sections that apply to you.

Estates and trusts. Enter zero on line 8 if you did not claim a casualty or theft loss. Otherwise, refigure these deductions by substituting MAGI (see [below](#)) for AGI. Subtract the refigured deductions from those claimed on the return. Enter the result on line 8.

Modified adjusted gross income (MAGI). To refigure the casualty and theft loss deduction of an estate or trust, MAGI is the total of the following amounts.

- The AGI amount you used to figure the deduction claimed on the return.
- The amounts from lines 3 through 6 of the worksheet.
- The NOL deduction for the NOL year entered at the top of the worksheet and for later years.

Line 11. Treat your NOL deduction for the NOL year entered at the top of the worksheet and for later years as a positive amount. Add it to your AGI. Enter the result on line 11.

Lines 20 and 21. You may be entitled to a larger charitable contributions deduction in determining modified taxable income for 2018 (line 20) than the charitable contribution deduction you were allowed in determining 2018 taxable income (line 19). Because of this, the amount you enter on line 21 may be negative. To the extent that these additional charitable contribution deductions decrease the amount of NOL that is used in 2018, you must reduce your charitable contribution carryover to 2019.

Worksheet 3 instructions. Use Worksheet 3 to figure your carryover to 2019 if you had an NOL deduction in 2018.

Line 1. Enter your NOL amount from Worksheet 1, line 25.

**Worksheet 2. Worksheet To Figure NOL Carryover From 2018 to 2019
(For an NOL Carryforward From a Year Before 2018 (When 2018 is an Intervening Year))**

For Use by Individuals, Estates, and Trusts (Keep for your records.)

See the instructions under [Worksheet 2](#) in NOL Carryover From 2018 to 2019, earlier.

NOL Year _____

USE YOUR 2018 FORM 1040, FORM 1040NR, OR FORM 1041 TO COMPLETE THIS WORKSHEET:

1. Enter as a positive number your NOL deduction for the NOL year entered above from Schedule 1 (Form 1040) or Form 1040NR, line 21; or Form 1041, line 15b _____
2. Enter your taxable income without the NOL deduction for 2018. See instructions _____
3. Enter as a positive number any net capital loss deduction _____
4. Enter as a positive number any gain excluded on the sale or exchange of qualified small business stock _____
5. Enter the amount of any domestic production activities deduction _____
6. Enter as a positive number any qualified business income deduction _____
7. Enter any adjustments to your adjusted gross income. See instructions _____
8. Enter any adjustments to your itemized deductions from line 27 below. See instructions _____
9. **Modified taxable income.** Combine lines 2 through 8. Enter the result (but not less than zero) _____
10. **NOL carryover to 2019.** Subtract line 9 from line 1. Enter the result (but not less than zero) here and on the "Other income" line of Schedule 1 (Form 1040) or Form 1040NR (or the line on Form 1041 for other deductions) in 2019 _____

ADJUSTMENTS TO ITEMIZED DEDUCTIONS (INDIVIDUALS ONLY):

11. Enter your adjusted gross income without the NOL deduction for the NOL year entered above or later years. See instructions _____
12. Combine lines 3 through 7 above _____
13. **Modified adjusted gross income.** Combine lines 11 and 12 above _____

ADJUSTMENT TO MEDICAL EXPENSES:

14. Enter your medical expenses from Schedule A (Form 1040), line 4 _____
15. Enter your medical expenses from Schedule A (Form 1040), line 1 _____
16. Multiply line 13 above by 7.5% (0.075) _____
17. Subtract line 16 from line 15. Enter the result (but not less than zero) _____
18. Subtract line 17 from line 14 _____

ADJUSTMENT TO CHARITABLE CONTRIBUTIONS:

19. Enter your charitable contributions deductions from Schedule A (Form 1040), line 14 or Schedule A (Form 1040NR), line 5 _____
20. Refigure your charitable contributions deduction using line 13 above as your adjusted gross income. See instructions _____
21. Subtract line 20 from line 19 _____

ADJUSTMENT TO CASUALTY AND THEFT LOSSES:

22. Enter your casualty and theft losses from Form 4684, line 18 _____
23. Enter your casualty and theft losses from Form 4684, line 16 _____
24. Multiply line 13 above by 10% (0.10) _____
25. Subtract line 24 from line 23. Enter the result (but not less than zero) _____
26. Subtract line 25 from line 22 _____
27. Combine lines 18, 21, and 26, and enter the result here and on line 8 _____

Worksheet 3. Worksheet for NOL Carryover For 2018 to 2019 (For NOL Year 2018)

For Use by Individuals, Estates, and Trusts (Keep for your records.)

See the instructions under [Worksheet 3](#) in NOL Carryover From 2018 to 2019, earlier.

Note. Use [Worksheet 2](#) to figure your NOL carryover(s) for NOL years before 2018.

- | | |
|--|----------|
| 1. Enter the amount from Worksheet 1, line 25, if less than zero | 1. _____ |
| 2. Portion of line 1 that is a farming loss that was carried back and used in 2016 or 2017. Enter as a positive number | 2. _____ |
| 3. Excess business loss from Form 461, line 16. Enter as a negative number | 3. _____ |
| 4. Combine lines 1 through 3. This is your NOL to carry over to 2019 | 4. _____ |

Excess Business Loss

Noncorporate taxpayers may be subject to excess business loss limitations. The at-risk limits and the passive activity limits are applied before figuring the amount of any excess business loss. An excess business loss is the amount by which the total deductions attributable to all of your trades or businesses exceed your total gross income and gains attributable to those trades or businesses plus \$250,000 (or \$500,000 in the case of a joint return). A "trade or business" includes, but is not limited to, Schedule C and Schedule F activities, the activity of being an employee, and certain activities reported on Schedule E. (In the case of a partnership or S corporation, the limitation is applied at the partner or shareholder level.) Business gains and losses reported on Schedule D and Form 4797 are included in the excess business loss calculation. Excess business losses that are disallowed are treated as a net operating loss carryover to the following tax year. See Form 461 and its instructions for details. For application of these rules to farmers, see also Pub. 225 and the Instructions for Schedule F (Form 1040).

Example. For the year 2018, an individual unmarried taxpayer operates a Schedule C business and incurs a loss of \$1 million. The taxpayer completes Form 461 and determines that he has incurred an excess business loss of \$750,000. The taxpayer reports the excess business loss as a positive number on Schedule 1 (Form 1040), line 21—effectively offsetting part of the loss claimed on Schedule C. This excess business loss of \$750,000 will carry over as an NOL for 2019. The taxpayer completed [Worksheet 3](#) above to figure the carryover from 2018 to 2019.

How To Get Tax Help

If you have questions about a tax issue, need help preparing your tax return, or want to download free publications, forms, or instructions, go to [IRS.gov](#) and find resources that can help you right away.

Tax reform. Major tax reform legislation impacting individuals, businesses, and tax-exempt entities was enacted in the Tax Cuts and Jobs Act on December 22, 2017. Go to [IRS.gov/TaxReform](#) for information and updates on how this legislation affects your taxes.

Preparing and filing your tax return. Find free options to prepare and file your return on [IRS.gov](#) or in your local community if you qualify.

The Volunteer Income Tax Assistance (VITA) program offers free tax help to people who generally make \$55,000 or less, persons with disabilities, and limited-English-speaking taxpayers who need help preparing their own tax returns. The Tax Counseling for the Elderly (TCE) program offers free tax help for all taxpayers, particularly those who are 60 years of age and older. TCE volunteers specialize in answering questions about pensions and retirement-related issues unique to seniors.

You can go to [IRS.gov](#) to see your options for preparing and filing your return which include the following.

- **Free File.** Go to [IRS.gov/FreeFile](#) to see if you qualify to use brand-name software to prepare and e-file your federal tax return for free.
- **VITA.** Go to [IRS.gov/VITA](#), download the free IRS2Go app, or call 800-906-9887 to find the nearest VITA location for free tax return preparation.
- **TCE.** Go to [IRS.gov/TCE](#), download the free IRS2Go app, or call 888-227-7669 to find the nearest TCE location for free tax return preparation.



Getting answers to your tax questions. On [IRS.gov](#), get answers to your tax questions anytime, anywhere.

- Go to [IRS.gov/Help](#) for a variety of tools that will help you get answers to some of the most common tax questions.
- Go to [IRS.gov/ITA](#) for the Interactive Tax Assistant, a tool that will ask you questions on a number of tax law topics and provide answers. You can print the entire interview and the final response for your records.
- Go to [IRS.gov/Pub17](#) to get Pub. 17, Your Federal Income Tax for Individuals, which features details on tax-saving opportunities, 2018 tax changes, and thousands of interactive links to help you find answers to your questions. View it online in HTML, as a PDF, or download it to your mobile device as an eBook.
- You may also be able to access tax law information in your electronic filing software.

Getting tax forms and publications. Go to [IRS.gov/Forms](#) to view, download, or print all of the forms and publications you may need. You can also download and view popular tax publications and instructions (including the 1040 in-

structions) on mobile devices as an eBook at no charge. Or you can go to [IRS.gov/OrderForms](#) to place an order and have forms mailed to you within 10 business days.

Access your online account (individual taxpayers only). Go to [IRS.gov/Account](#) to securely access information about your federal tax account.

- View the amount you owe, pay online, or set up an online payment agreement.
- Access your tax records online.
- Review the past 24 months of your payment history.
- Go to [IRS.gov/SecureAccess](#) to review the required identity authentication process.

Using direct deposit. The fastest way to receive a tax refund is to combine direct deposit and IRS e-file. Direct deposit securely and electronically transfers your refund directly into your financial account. Eight in 10 taxpayers use direct deposit to receive their refund. The IRS issues more than 90% of refunds in less than 21 days.

Refund timing for returns claiming certain credits. The IRS can't issue refunds before mid-February 2019 for returns that claimed the earned income credit (EIC) or the additional child tax credit (ACTC). This applies to the entire refund, not just the portion associated with these credits.

Getting a transcript or copy of a return. The quickest way to get a copy of your tax transcript is to go to [IRS.gov/Transcripts](#). Click on either "Get Transcript Online" or "Get Transcript by Mail" to order a copy of your transcript. If you prefer, you can:

- Order your transcript by calling 800-908-9946, or
- Mail Form 4506-T or Form 4506T-EZ (both available on [IRS.gov](#)).

Using online tools to help prepare your return. Go to [IRS.gov/Tools](#) for the following.

- The [Earned Income Tax Credit Assistant \(IRS.gov/EITCAssistant\)](#) determines if you're eligible for the EIC.
- The [Online EIN Application \(IRS.gov/EIN\)](#) helps you get an employer identification number.
- The [IRS Withholding Calculator \(IRS.gov/W4App\)](#) estimates the amount you should have withheld from your paycheck for federal income tax purposes and can help you perform a "paycheck checkup."
- The [First Time Homebuyer Credit Account Look-up \(IRS.gov/HomeBuyer\)](#) tool

provides information on your repayments and account balance.

- The [Sales Tax Deduction Calculator \(IRS.gov/SalesTax\)](#) figures the amount you can claim if you itemize deductions on Schedule A (Form 1040), choose not to claim state and local income taxes, and you didn't save your receipts showing the sales tax you paid.

Resolving tax-related identity theft issues.

- The IRS doesn't initiate contact with taxpayers by email or telephone to request personal or financial information. This includes any type of electronic communication, such as text messages and social media channels.
- Go to [IRS.gov/IDProtection](#) for information.
- If your SSN has been lost or stolen or you suspect you're a victim of tax-related identity theft, visit [IRS.gov/IdentityTheft](#) to learn what steps you should take.

Checking on the status of your refund.

- Go to [IRS.gov/Refunds](#).
- The IRS can't issue refunds before mid-February 2019 for returns that claimed the EIC or the ACTC. This applies to the entire refund, not just the portion associated with these credits.
- Download the official IRS2Go app to your mobile device to check your refund status.
- Call the automated refund hotline at 800-829-1954.

Making a tax payment. The IRS uses the latest encryption technology to ensure your electronic payments are safe and secure. You can make electronic payments online, by phone, and from a mobile device using the IRS2Go app. Paying electronically is quick, easy, and faster than mailing in a check or money order. Go to [IRS.gov/Payments](#) to make a payment using any of the following options.

- **IRS Direct Pay:** Pay your individual tax bill or estimated tax payment directly from your checking or savings account at no cost to you.
- **Debit or credit card:** Choose an approved payment processor to pay online, by phone, and by mobile device.
- **Electronic Funds Withdrawal:** Offered only when filing your federal taxes using tax return preparation software or through a tax professional.
- **Electronic Federal Tax Payment System:** Best option for businesses. Enrollment is required.
- **Check or money order:** Mail your payment to the address listed on the notice or instructions.
- **Cash:** You may be able to pay your taxes with cash at a participating retail store.

What if I can't pay now? Go to [IRS.gov/Payments](#) for more information about your options.

- Apply for an [online payment agreement \(IRS.gov/OPA\)](#) to meet your tax obligation in monthly installments if you can't pay

your taxes in full today. Once you complete the online process, you will receive immediate notification of whether your agreement has been approved.

- Use the [Offer in Compromise Pre-Qualifier \(IRS.gov/OIC\)](#) to see if you can settle your tax debt for less than the full amount you owe.

Checking the status of an amended return.

Go to [IRS.gov/WMAR](#) to track the status of Form 1040X amended returns. Please note that it can take up to 3 weeks from the date you mailed your amended return for it to show up in our system and processing it can take up to 16 weeks.

Understanding an IRS notice or letter. Go to [IRS.gov/Notices](#) to find additional information about responding to an IRS notice or letter.

Contacting your local IRS office. Keep in mind, many questions can be answered on IRS.gov without visiting an IRS Tax Assistance Center (TAC). Go to [IRS.gov/LetUsHelp](#) for the topics people ask about most. If you still need help, IRS TACs provide tax help when a tax issue can't be handled online or by phone. All TACs now provide service by appointment so you'll know in advance that you can get the service you need without long wait times. Before you visit, go to [IRS.gov/TACLocator](#) to find the nearest TAC, check hours, available services, and appointment options. Or, on the IRS2Go app, under the Stay Connected tab, choose the Contact Us option and click on "Local Offices."

Watching IRS videos. The IRS Video portal ([IRSVideos.gov](#)) contains video and audio presentations for individuals, small businesses, and tax professionals.

Getting tax information in other languages.

For taxpayers whose native language isn't English, we have the following resources available. Taxpayers can find information on IRS.gov in the following languages.

- [Spanish \(IRS.gov/Spanish\)](#).
- [Chinese \(IRS.gov/Chinese\)](#).
- [Vietnamese \(IRS.gov/Vietnamese\)](#).
- [Korean \(IRS.gov/Korean\)](#).
- [Russian \(IRS.gov/Russian\)](#).

The IRS TACs provide over-the-phone interpreter service in over 170 languages, and the service is available free to taxpayers.

The Taxpayer Advocate Service (TAS) Is Here To Help You

What is TAS?

TAS is an *independent* organization within the IRS that helps taxpayers and protects taxpayer rights. Their job is to ensure that every taxpayer is treated fairly and that you know and understand your rights under the [Taxpayer Bill of Rights](#).

How Can You Learn About Your Taxpayer Rights?

The Taxpayer Bill of Rights describes 10 basic rights that all taxpayers have when dealing with the IRS. Go to [TaxpayerAdvocate.IRS.gov](#) to help you understand [what these rights mean to you](#) and how they apply. These are **your** rights. Know them. Use them.

What Can TAS Do For You?

TAS can help you resolve problems that you can't resolve with the IRS. And their service is free. If you qualify for their assistance, you will be assigned to one advocate who will work with you throughout the process and will do everything possible to resolve your issue. TAS can help you if:

- Your problem is causing financial difficulty for you, your family, or your business;
- You face (or your business is facing) an immediate threat of adverse action; or
- You've tried repeatedly to contact the IRS but no one has responded, or the IRS hasn't responded by the date promised.

How Can You Reach TAS?

TAS has offices [in every state, the District of Columbia, and Puerto Rico](#). Your local advocate's number is in your local directory and at [TaxpayerAdvocate.IRS.gov/Contact-Us](#). You can also call them at 877-777-4778.

How Else Does TAS Help Taxpayers?

TAS works to resolve large-scale problems that affect many taxpayers. If you know of one of these broad issues, please report it to them at [IRS.gov/SAMS](#).

TAS also has a website, [Tax Reform Changes](#), which shows you how the new tax law may change your future tax filings and helps you plan for these changes. The information is categorized by tax topic in the order of the IRS Form 1040. Go to [TaxChanges.us](#) for more information.

Low Income Taxpayer Clinics (LITCs)

LITCs are independent from the IRS. LITCs represent individuals whose income is below a certain level and need to resolve tax problems with the IRS, such as audits, appeals, and tax collection disputes. In addition, clinics can provide information about taxpayer rights and responsibilities in different languages for individuals who speak English as a second language. Services are offered for free or a small fee. To find a clinic near you, visit [TaxpayerAdvocate.IRS.gov/LITCmap](#) or see IRS Pub. 4134, [Low Income Taxpayer Clinic List](#).



To help us develop a more useful index, please let us know if you have ideas for index entries. See “Comments and Suggestions” in the “Introduction” for the ways you can reach us.

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