

THE IRS TATTLER

OKLAHOMA



Travis W. Watkins, Principal & Senior Attorney



TRAVIS W. WATKINS
TAX RESOLUTION AND ACCOUNTING FIRM

IRS Must Warn Oklahomans of the Dangers of Talking to Them Without An Attorney

Travis Watkins cautions that IRS Revenue Officers don't presently have to read you your rights when collecting taxes.

When you owe the IRS back taxes, shouldn't the IRS be required to at least tell you that anything and everything you tell them will be used in any manner they see fit and that you have the right to remain silent and hire an attorney?

You know, like Miranda rights in the law enforcement context.

In U.S. vs. Miranda, 384 U.S. 436 (1966), the United States Supreme Court found that, given the coercive nature of questioning by police, no confession could be admissible unless a suspect had been advised of (and knowingly waived) his right to remain silent and consult an attorney of his choosing.

Even in the private debt collection world, non-IRS debt collectors must advise you under the Fair Debt Collection Practices Act, 15 U.S.C. §1692, that the information you give them can and will be used to collect a debt that you can dispute.

Many taxpayers are shocked to learn that they actually have rights when they owe the IRS. IRS Publication 1: Your Rights as a Taxpayer, provides taxpayers the right to retain an authorized representative in this situation. It also allows you a right to be heard and to appeal an adverse IRS decision.

Aside from concerns of major IRS overreaching and intimidation when they show up unannounced, it makes good business sense for the IRS to read you these rights too. Maybe then taxpayers might wake up, smell the coffee and realize just how serious the IRS is about getting paid in full, today!

The answer is, they won't tell you these things. You just have to do the best you can under fire. When you get into tax trouble with the IRS, the best thing you can do is...

Stop talking to the IRS, period.

I learned a long time ago from helping many Oklahomans deal with tax problems, you must completely stay out of the communication loop with the IRS.

IRS debts are a serious matter to the IRS, and they have lots of powerful remedies at their disposal-levy of bank accounts and wages, passport revocation and seizure of property, to name just a few. The IRS can accomplish most of these measures without getting a court order, like a private creditor must do.

If the IRS won't advise you of your rights in a surprise meeting, don't expect that they will tell you any of the options you may have, short of full-paying the debt immediately or maybe a payment plan...if you're lucky.

They won't tell you that you may be a candidate for settling your debt for less (sometimes substantially less) than you owe with the IRS' Offer in Compromise program.

Regardless of your intentions for paying back the IRS, you should not be handing over financial information to them yourself, without first consulting a local tax resolution firm with attorneys on staff that deal with

the IRS collection offices in Oklahoma every day.

I have seen too many taxpayers make the mistake of meeting with the IRS and handing over valuable information without receiving anything that benefits them in return.

Don't be like these taxpayers.

Don't make the mistake of dealing with the IRS on your own.

Don't wait until an IRS revenue officer is standing in your office lobby, or worse-the front door of your house-to start addressing the problem.

Look, it's not your fault. There is a major imbalance of power and knowledge here, as I've already explained. You may say the wrong thing entirely.

Here are 5 things you can do if the IRS shows up:

1. Ask the IRS employee for verification credentials. IRS scams via phone, especially, are on the rise. This will also be valuable information for an attorney that deals with collection officials every day.
2. Ask the IRS employee for a verification of the alleged debt and/or desired action being requested, including any deadlines for such action. The IRS routinely memorializes these in a handwritten Form 9297-Summary of Taxpayer Contact. Ask for this if they don't provide it on their own.
3. Politely end the conversation and tell them you wish to speak to an attorney or other authorized representative.
4. If the employee will not honor your request, politely ask for the employee's supervisor's name and contact information.
5. Call an authorized representative. The best person suited to come up with a plan that sounds better than levy or business shutdown or threats to your livelihood is a local Oklahoma tax resolution firm with attorneys on staff, like Travis W. Watkins Tax Resolution & Accounting Firm with offices in Oklahoma City and Tulsa.

Travis Watkins is an Oklahoma City Tax Attorney who limits his practice to helping taxpayers end IRS problems. In 2018 and 2019, his firm, Travis W. Watkins Tax Resolution & Accounting Firm was awarded The Oklahoman's Reader's Choice Award for Best Tax Firm. As a special offer to The Oklahoman readers you can get a free copy of Mr. Watkins' new book, "Read This Book To Solve IRS Problems" by calling toll free 866-224-3309 and leaving a message 24/7. Mr. Watkins can also be reached immediately at 866-224-3309.

IRS

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Stay up to date (live) with the latest tax information from Travis himself. To follow all news stories about the IRS/tax news stories throughout all platforms (TV, Tax Tip Tuesday, Press Releases, Podcast, Latest News Articles, etc.) with Facebook, LinkedIn, and YouTube.

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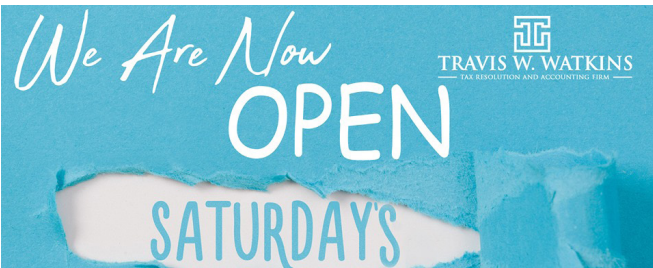


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You've been asking and we have delivered! Here at the Travis W. Watkins Tax Resolution and Accounting Firm, we are always striving to better serve our clients. This is why we are pleased to announce that we are now open on Saturday's from 9am-3pm!

We know that life can get busy and chaotic from time to time when you're dealing with work, loved ones, friends, family and other obligations, so that is why our office will now be open! If you've been procrastinating about tackling your IRS problem, now is the perfect time to face it head on! Call 866-224-3309 or visit TravisWatkinsTax.com to get started, TODAY!

CALL US NOW:
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A small, family owned trucking company from NW Oklahoma sought our services after finding out that they had incurred a \$51,000 tax liability for unpaid payroll back taxes. Subsequently, the IRS had assigned a Revenue Officer to their case and slapped the trucking business with a levy and completely froze their business bank accounts! Panicked that they would lose everything, they quickly retained our services and we were able to quickly negotiate a release of the levy and settled the debt for \$16,000! That's a total savings of 68.63%!

If you are being levied, have a lien, being audited, or have unfiled tax years, there are many options that we can provide to give you a good night's sleep again! Take advantage of the knowledge of a professional tax resolution firm and put your best foot forward when faced with a tax issue. Call Travis W. watkins Tax Resolution and Accounting Firm at

866-224-3309 or visit TravisWatkinsTax.com.

..... ”

The entire staff really cares about your needs. They treat you with respect and are highly professional. You don't feel like a client you feel like family!"-Richard K. Broken Arrow, OK



Oklahoma Judge in tax Trouble

Surfacing tax problems are adding to a growing list of controversies for an Oklahoma County district judge.

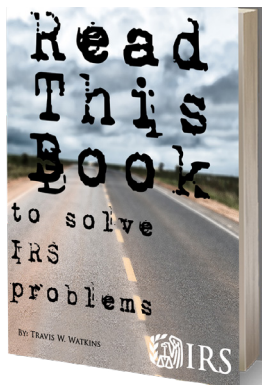
Kendra Coleman has been assessed more than \$100,000 by the IRS and OTC for overdue income taxes, penalties and interest. This comes as she continues a fight with the district attorney for her position on the bench.

"It's important to remember that people make mistakes," said campaign finance attorney Geoffrey Long. That's how he characterizes some of the problems Judge Coleman is facing. She was elected in her first run for the position in November 2018.

According to a motion he filed, she's "intentionally violated" ethics rules by failing to report final campaign contributions. "People make mistakes, they get behind, but it doesn't mean that they're hiding anything," Long said.

"I'm a regular person with regular issues the same as everyone else in the world," "It's life. These things happen. And, by no way, by no means, am I minimizing any of it. I'm saying this is my life", says Kendra. She may face further tax assessments soon. She has not yet filed her state tax returns on her 2017 and 2018 income, according to the Oklahoma Tax Commission.

"Thousands in Unpaid Taxes Surface for OK County District Judge Already Accused of Bias on the Bench," KFOR.com, 12 Sept. 2019, https://kfor.com/2019/09/11/thousands-in-unpaid-taxes-surfaces-for-ok-county-district-judge-already-accused-of-bias-on-the-bench/; Photo: https://oklahoman.com/article/5641563/oklahoma-county-district-judge-indicted



Exactly What You're Getting

Here's just a fraction of what's inside and what it might mean for you and your family or your business:

✓ THE IRS MAY BE S.O.L.: The last day the IRS can come after you for a debt.

How does that work?

The IRS doesn't want to make it super easy for you to find out exactly the last day that they can come after you to collect a debt.

Chapter 5 outlines how to calculate your own Collection Statute Expiration Date, the "CSED" with just a little digging. (See page 43)

✓ THE IRS WILL FILE YOUR RETURNS FOR FREE:

But, it's not what you think...

The IRS will sometimes file returns for a taxpayer when they haven't filed for themselves for a long time. Beware: these are returns you wouldn't file on your worst enemy!

It is usually about three years or more from the due date because the IRS penalty for failing to file times out. (CHECK OUT PAGE 60)

THERE'S SO MUCH MORE:

→ Chapter 1: New Year's Epiphany: IRS relief is really about getting back in "the system" (who knew?)

→ Chapter 2: IRS Problems-Do this to start handling it TODAY!

→ Chapter 3: Can I look at the IRS' Poker Hand? (IRS Transcripts)

→ Chapter 4: Read this chapter to get your Master Tax File

→ Chapter 5: Sometimes the IRS is just plain S.O.L. (LOL)

→ Chapter 6: Hey, do this if you have an IRS problem and some unfiled tax returns

→ Chapter 7: The IRS will file your returns for free (it's not what you think)

→ Chapter 8: Your 5 bug options when you know you have a tax problem

→ Chapter 9: How do I know which option(s) the IRS will accept?

→ Chapter 10: Form 433A-The IRS Collection Information Statement

→ Chapter 11: More of what's yours and what's TheIRS

→ Chapter 12: IRS Full=Pay Strategies

→ Chapter 13: Offers in Compromise Overview

→ Chapter 14: Calculate your Offer to settle your IRS debt

→ Chapter 15: The IRS Installment Agreement

→ Chapter 16: Dischargeable IRS Debts in Bankruptcy

→ Chapter 17: IRS Currently Not Collectible Status

→ Chapter 18: 7 surprising ways to avoid hiring a tax resolution firm

→ Chapter 19: Penalty Abatements Explained

→ Chapter 20: Innocent Spouse Relief

→ Chapter 21: Everything you need to know about IRS payroll problems

→ Chapter 22: IRS Appeals broken down

→ Chapter 23: State Tax Relief Explained

→ Chapter 24: IRS Debt relief overview



We did it again! For the second year in a row, the Travis W. Watkins Tax Resolution & Accounting Firm was voted "Best Taxation Attorney" for 2019 in the entire STATE! We want to say THANK YOU, Oklahoma!

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OKLAHOMA

Our Client Asked an IRS Revenue Officer to Suspend an Interview To Consult a Tax Lawyer. What happened Next May Surprise you...

The IRS paid my office a huge compliment. Well, maybe it was a subtle, backhanded compliment. But, it was a compliment all the same.

It's a no-no for an IRS Revenue Office to refer or recommend an attorney to a taxpayer facing tax trouble. Conversely, It's a no-no to keep questioning a taxpayer once he clearly expresses an intention to "lawyer-up."

A little context first. Revenue Officers are the ground troops at the IRS. When you owe the Service money, you can expect a visit to your home or office. In the past, the IRS sent Revenue Officers out for liabilities greater than \$100,000 in personal debt or if the liability involved payroll taxes. That does not appear to be the case any longer. My office has seen some assignments for less than \$50,000 lately.

A taxpayer came to see us in Oklahoma City with an interesting story to share. He got a visit from a local IRS Revenue Officer. The Revenue Officer wanted to fill out some documentation with the taxpayer, including an IRS Form 433-A and 433-B. These forms tell the IRS how much your income and expenses are. They tell the IRS what assets you have. In short, they inform the IRS as to how "collectible" you are. If direct negotiations go wrong with the Revenue Officer in this of future conversations, however, the IRS now has your financial information (where you bank, where you work, e.g.). They can levy you. These are very important forms, as you may have imagined.

Somewhere in the conversation, things got uncomfortable for the taxpayer, and he advised the Revenue Officer that he wished to stop the interview and talk to a tax lawyer.

Immediately, the Revenue Officer's tone changed. She blurted out something like, "whatever you do, DON'T hire Travis Watkins' office." Although the Revenue Officer didn't mean it as such, it was a ringing (reverse) endorsement. He retained us later that day.

Here are a few takeaways. The Revenue Officer's statements are likely illegal. 26 U.S. code 752-Procedures involving taxpayer interviews states at (b) (2), Right of consultation:

[i]f the taxpayer clearly states to an officer or employee of the

than an interview initiated by an administrative summons issued under subchapter A of chapter 78) that the taxpayer wishes to consult with an attorney, certified public accountant, enrolled agent, enrolled actuary, or any other person permitted to represent the taxpayer before the Internal Revenue Service, such officer or employee shall suspend such interview regardless of whether the taxpayer may have answered one or more questions. (Emphasis Supplied).

The code doesn't say that the Revenue Officer can then express an opinion about the taxpayer's decision to consult a professional. It says that the Revenue Officer "shall suspend [the] interview." This is harassment and intimidation, and it's meant to be. I have said for some time that the IRS should tell taxpayers that anything they say can and will be used to collect a debt. It would work to the IRS' advantage to convey just how serious the IRS is about collecting taxes that day. In turn, the possibility that taxpayer rights would be compromised would be less.

In this case, the taxpayer had not yet researched a tax professional. Under the circumstances, he took the Revenue Officer's statement as a clear endorsement of 1) the IRS' intention to get information from him while he was vulnerable, unrepresented and uninformed about IRS procedure and 2) that Travis Watkins' office would adequately protect his interests.

This taxpayer was savvy. But, don't expect the IRS to quit tactics like this anytime soon. There are more taxpayers that would believe the IRS will treat them more fairly without representation if they take a Revenue Officer's advice not to seek consultation with a lawyer.

We immediately filed our IRS Form 2848 POA with the Revenue Officer. Now, we take over all communications with her. We are investigating the situation, assisting the taxpayer with 433 forms that are more representative of the taxpayer's economic reality, and, most importantly, we are laying out a plan that the IRS would accept short of levying the taxpayer for all of the debt owed today.

So, the moral of the story is this. Hire a local licensed tax lawyer who deals with IRS collection procedures and IRS employees every day BEFORE they come to you. If you have been visited by an IRS Revenue Officer, you don't have to take their word for it, hire us! Call 866-224-3309, TODAY!

What Is IRS Resolution?

Tax Preperation, Audits, Bookkeeping, CFO Services, Offers In Compromise, more...

We do nothing but IRS resolution and what that means is tax preparation, audits, bookkeeping, or what we refer to sometimes as "CFO services." In other words, it's like being your Financial Analyst if you're a small business owner. We also do Offers in Compromise. Offers in Compromise is the IRS' settlement program, so sometimes you can settle things for pennies on the dollar. We do all those types of things here, and more! If you want us to do these things for you, we deal with the IRS all day, every day and we do so successfully. If you want to talk to a tax professional right now, you can do so at 866-224-3309.

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