

Office of the Taxpayer Rights Advocate

Having difficulty resolving a tax issue through regular channels at the Tax Department?

As an independent organization within the department, the Office of the New York State Taxpayer Rights Advocate is committed to helping New York State taxpayers by balancing taxpayer assistance against enforcement efforts. We will listen to you, learn about your problems or concerns, and work with you in an effort to resolve them.

The worst thing you can do is ignore a tax bill or your tax debt. Consider applying to the office for help.

Contact the Taxpayer Rights Advocate:

- Visit our Web site
- Call [518] 530-HELP



Know your rights before you hire a tax preparer

Most tax preparers act within the law and treat their clients fairly. But there are some who do not.

This brochure contains important information about how to protect yourself when you hire a tax preparer.

To file a complaint about a tax preparer:

- Visit our Web site
- Call [518] 530-HELP

If your preparer is located in New York City, contact the NYC Department of Consumer Affairs by calling

- 311 (from New York City), or
- [212] NEW-YORK (from outside New York City)

For general tax questions:

- Visit our Web site
- Call [518] 457-5181

www.tax.ny.gov

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New York State
Department of Taxation and Finance

Consumer Bill of Rights

Regarding Tax Preparers



Para español: Vea la publicación 135-SPA,
La Declaración de Derechos del Consumidor
con Respecto a los Preparadores de
Declaraciones de Impuestos.

Before you hire a tax preparer:

- ask for a written estimate of all fees
- ask about qualifications
- ask if the preparer will e-file your return
- ask if the preparer will represent you if you are audited

A tax preparer should never do any of the following:

A preparer should never prepare your return without reviewing the appropriate records, such as information about your dependents, child care expenses, or tuition expenses.

A preparer should never ask you to sign

- a blank return
- an incomplete return
- a return with false information on it
- a return with information that you do not understand

A preparer should never charge a separate fee to e-file your New York return.

A preparer should never guarantee that

- you will receive a tax refund
- you won't be audited by the IRS or the New York State Tax Department

When your return is completed:

- review the entire return before you sign
- make sure your preparer also signs the return
- get your papers back, including copies of all final returns
- get a receipt that contains the preparer's address and phone number
- make sure that you understand what is on the return

What is a Refund Anticipation Loan (RAL)?

A RAL is a high-interest loan for which the lender will charge you interest and fees, which will reduce your income tax refund.

Before you enter into a RAL agreement, your preparer must give you a written statement that explains:

- the name of the lending institution
- you are not required to take a RAL in order to receive your tax refund
- the amount of fees and interest you have to pay if you take a RAL
- the amount you will receive after the fees and interest are deducted, as well as the amount of the refund if you do not take out a RAL

You are responsible for the entire amount of the loan, even if it is more than your refund.

Your tax preparer must sign the RAL Disclosure Form and include his or her unique identification number.

All discussions concerning the RAL must be in the language you and your preparer primarily use.

What is a Refund Anticipation Check (RAC)?

A RAC is a check or payment allowing you to get your refund money. RAC fees are deducted from the refund shown on your return.

The fees include charges for tax preparation and a fee for the RAC.

Before you enter into a RAC agreement with a tax preparer, the preparer must give you a written disclosure statement explaining:

- you are not required to take a RAC in order to receive your refund
- the amount of fees you will have to pay if you take a RAC

Your tax preparer must sign the RAC Disclosure Form and include his or her unique identification number.

All discussions concerning the RAC must be in the language you and your preparer primarily use.



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