

# Complaint: Tax Return Preparer

Use this form to file a complaint with the IRS against a tax return preparer or tax preparation business.

**CAUTION: READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM.** There may be other more appropriate forms specific to your complaint. (For example, if you believe you are a victim of identity theft, please complete Form 14039, Identity Theft Affidavit).

## Section A - Return Preparer Information *(complete all known information)*

1. Preparer's professional status *(check all that apply)*

- Attorney
- Certified Public Accountant
- Other/Unknown
- Enrolled Agent
- Payroll Service Provider

2. Preparer's name and address

3. Preparer's business name and address *(if different)*

4. Preparer's telephone number(s) *(include area code)*

5. Preparer's email address

6. Preparer's website

7. Preparer Electronic Filing Identification Number (EFIN)

8. Preparer Tax Identification Number (PTIN)

9. Employer Identification Number (EIN)

## Section B - Complaint Information

10. Tax period(s) impacted

11a. Review the complaints below and check all that apply

- Theft of Refund *(Diverted refund to unknown account; return filed does not match taxpayer's copy)*
- E-File *(e-filed returns using pay stub, non-commercial software or Free File without properly securing taxpayer's signature)*
- Preparer Misconduct *(Failed to provide copy of return, return records, sign returns or remit payments for taxes due; misrepresentation of credentials; agreed to file return but did not; filed return without authorization or consent.)*
- PTIN Issues *(Failed to include Preparer Tax Identification Number (PTIN) on tax return; improperly used a PTIN belonging to another individual)*
- False Items/Documents *(False expenses, deductions, credits, exemptions or dependents; false or altered documents; false or overstated Form W-2 or 1099; incorrect filing status)*
- Employment Taxes *(Failed to file forms 940, 941, 943, or 945 or remit Employment Tax payment)*
- Other *(explain below)*

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Attach a **copy** of any documents you received from the tax return preparer (e.g., **tax returns**, advertisements, business cards, Form 8879, IRS e-file Signature Authorization, Form 8888, Allocation of Refund (including savings bond purchases), Contract for Service Agreement, and Refund Transfer Agreement). Do not send original returns or payments with this form.

11b. Provide facts and other information related to the complaint (*attach additional sheets if necessary*).

**Section C - Taxpayer's Information** Are you the taxpayer?  Yes  No

(We never share this information with the person or business you are reporting)

This information may be necessary to process your complaint. If you are the taxpayer complete section C only. If you are not the taxpayer, complete sections C and D.

12. Name of individual or business

13. Mailing address (*street, city, state, ZIP code*)

14. Telephone number(s) (*include area code*)

15. Email address

16. Taxpayer's signature

17. Date of complaint

**Section D - Your Information** (*do not complete if you are the taxpayer*)

(We never share this information with the person or business you are reporting)

This information is not required to process your complaint but is helpful if we need to contact you for additional information.

18. Name (*Last, First, MI*)

19. Date of complaint

20. Mailing address (*street, city, state, ZIP code*)

21. Telephone number(s) (*include area code*)

22. Email address

23. Your relationship to Preparer

Client

IRS employee

Return preparer working for a different firm\*

Other (*specify*) \_\_\_\_\_

Return preparer working for the same firm\*

\* Taxpayers' information and any information relating to another professional are confidential. Please obtain your client's consent before sharing any protected tax information, even with the IRS.

The completed form along with all supporting information can be filed by fax or regular mail.

If faxing Form 14157 send to:

**855-889-7957**

If mailing Form 14157 send to:

**Attn: Return Preparer Office  
401 W. Peachtree Street NW  
Mail Stop 421-D  
Atlanta, GA 30308**

**Privacy Act and Paperwork Reduction Act Notice**

We ask for the information on this form to carry out the Internal Revenue laws of the United States. We need it to ensure that preparers are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time require to complete this form will vary depending on individual circumstances. The estimated average time is 15 minutes. The primary purpose of this form is to report potential violations of the Internal Revenue laws by tax return preparers. We are requesting this information under authority of 26 U.S.C. § 7801 and § 7803. Providing this information is voluntary, and failure to provide all or part of the information will not affect you. Providing false or fraudulent information may subject you to penalties. We may disclose this information to the Department of Justice to enforce the tax laws, both civil and criminal, and to cities, states, the District of Columbia, and U.S. commonwealths or possessions to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal non-tax criminal laws, and to federal law enforcement and intelligence agencies to combat terrorism.

## Instructions for Form 14157, Complaint: Tax Return Preparer

### General Instructions

#### What's New

A check box was added to determine if the form was completed by the impacted taxpayer. Another method to file the form was added.

#### Purpose of Form

Use Form 14157 to file a complaint against a tax return preparer or tax preparation business.

Individuals who are paid to prepare federal tax returns must follow ethical standards and guidelines as established in Treasury Department Circular 230. For more information on requirements for paid tax return preparers, view Circular 230 at [www.irs.gov/taxpros](http://www.irs.gov/taxpros).

#### Where to Send This Form

The completed form along with all supporting information can be filed by fax or regular mail.

If faxing Form 14157 send to: 855-889-7957

If mailing Form 14157 send to: Attn: Return Preparer Office, 401, W. Peachtree Street NW, Mail Stop 421-D, Atlanta, GA 30308

If a tax return preparer filed a return or altered your return without your consent and you are seeking a change to your account, complete Form 14157-A, Tax Return Preparer Fraud or Misconduct Affidavit, in addition to Form 14157. Submit both forms along with the documents listed in the Form 14157-A instructions to the address indicated on the Form 14157-A.

#### **CAUTION: DO NOT USE Form 14157:**

- If you suspect your **identity was stolen**. Use Form 14039. Follow "Instructions for Submitting this Form" on Page 2 of Form 14039.
- To report **alleged tax law** violations by an individual, a business, or both. Use Form 3949-A. Submit to the address on the Form 3949-A.

### Specific Instructions

#### Section A - Return Preparer Information

**Preparer's Professional Status** - Indicate any professional credentials held, or claimed to be held, by the return preparer. An Attorney is an individual in good standing with a state bar association. A Certified Public Accountant is an individual in good standing with a state board of accountancy. An Enrolled Agent status is granted solely by the IRS upon the individual's demonstration of special competence in tax matters, by written examination, and passing suitability requirements. A Payroll Service Provider is a third party paid by an employer to administer the employer's payroll and tax responsibilities. Select Other/Unknown if you are unsure of the preparer's status.

**Information about the Tax Return Preparer** - Provide as much information as you know about the paid tax return preparer or business.

**Preparer's Identification Numbers(s)** - If known, provide the tax preparer's Electronic Filing Identification Number (EFIN), Preparer Tax Identification Number (PTIN), and Employer Identification Number (EIN).

#### Section B - Complaint Information

##### Tax Period(s)

Indicate the tax period(s) of the tax return for which the tax preparer misconduct occurred. Most individual's tax returns cover a calendar year of 12 months, January 1 through December 31. For example, you may have a tax return that was prepared in 2013, but the tax year is 2012 because the tax return covered calendar year 2012. A business's tax return can cover a quarter or a full year. For example, you may have a Form 941, Employer's Quarterly Federal Tax Return, prepared for the period ending September 30, 2014.

Review the complaint allegations and check all that apply. Describe in detail the facts of your complaint in 11b. Attach a copy of any documents you received from the tax return preparer. For Employment Tax complaints attach a copy of any Contract for Service Agreement. Also attach additional sheets if necessary. Do not send original returns or payments.

##### Theft of Refund

A preparer:

- Embezzled or stole all or a portion of a client's federal tax refund.
- Diverted a refund to an account that was not the client's.
- Provided a copy of the return to the client that had direct deposit information that is not theirs.
- Provided a copy of the return to the client that does not match the return that was filed with the IRS.
- Failed to explain that a cash advance, fast refund, or instant refund was actually a refund anticipation loan borrowed against an income tax refund and the related fees and interest charges.

**E-File**

A preparer:

- Filed a return electronically using a last payroll stub or a leave and earnings statement without waiting for the official Form W-2 from the employer. Return preparers are generally prohibited from filing a return prior to receipt of Forms W-2, W-2G, and 1099-R.
- Used non-commercial software to prepare returns that appear self prepared by the taxpayer and is not including his or her name, PTIN, or firm name. Similarly, the preparer used the "Free File" program to prepare and file tax returns for clients. For more information on Free File, visit [www.irs.gov/freefile](http://www.irs.gov/freefile).
- Filed a return electronically without securing taxpayer's signature on Form 8879 (e-File Signature Authorization).

**Preparer Misconduct**

A preparer:

- Did not provide client with a copy of the return he or she prepared, and refused to provide a copy after a request.
- Did not return some or all of the client's original records.
- Did not sign the federal tax returns that he or she prepared.
- Claimed to be an attorney, certified public accountant, enrolled agent, or registered tax return preparer, but does not actually have the credential claimed or the credential is no longer valid (e.g. expired, suspended or revoked).
- Agreed to file return but did not.
- The preparer charged for services not performed.
- Did not remit payment for taxes due.
- Filed a return or submitted other information for a client without their knowledge, authorization, or consent.
- Failed to explain that a cash advance, fast refund, or instant refund was actually a refund anticipation loan borrowed against an income tax refund and the related fees and interest charges. The return preparer was misleading, or failed to ensure taxpayers understand financial products and related fees.

**PTIN Issues**

A preparer:

- Improperly used a Preparer Tax Identification Number (PTIN) belonging to another individual.
- Does not have a PTIN or is not including a PTIN on returns prepared.

**False Items/Documents**

A preparer knowingly:

- Claimed false or fictitious expenses and/or deductions on a tax return.
- Claimed unrelated, non-existent, unknown or additional information on a tax return.
- Made changes to a client's original tax documents or used false or incorrect documents to complete return.
- Claimed false or fictitious income and/or federal withholding on a tax return.
- Claimed an improper filing status on a tax return. The filing status claimed did not accurately reflect the taxpayer's family situation.

**Employment Taxes**

A preparer:

- Did not remit employment tax funds to the IRS on behalf of a client for Forms 940, 941, 943, 944, or 945 in full or on time.
- Did not prepare employment tax returns (Form 941, 940, 943, 944, 945) on behalf of a client in an accurate and/or timely manner.

**Other**

- If none of the above describes the nature of the complaint, briefly summarize the complaint. Some examples of other tax preparer misconduct or improper tax preparation practices include, but are not limited to, fee dispute and bad behavior such as threats.

**Section C - Taxpayer Information**

Indicate if you are the taxpayer impacted by the tax preparer's misconduct or improper tax preparation practices.

Enter the taxpayer's name, street address, city, state, zip code, telephone number(s), and email address where he/she can be contacted.

**Taxpayer's Signature** – Sign and date.

**Section D - Your Contact Information**

Enter your name, street address, city, state, zip code, telephone number(s), and e-mail address where you can be contacted. This information is not required to process your complaint but is helpful if we need to contact you for additional information.

**Your Relationship to Preparer**

Enter your relationship to the return preparer.

Taxpayers' information and any information relating to another professional are confidential. Please obtain your client's consent before sharing any protected tax information, even with the IRS.