

# FLORIDA RESIDENCY 2015

Seminar  
Florida  
February 2015

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Florida

**Florida Residency:** How you know you have it, and what you may want to do if another state says you don't.

This seminar provides information on income tax, homestead, and estate planning issues and guidance on how you may be able to reduce taxes, protect assets, and avoid pitfalls when moving to Florida from another state or maintaining dual residences.

**Choose from four sessions:**

- **Wednesday, January 7, 2015**  
Eau Palm Beach Resort & Spa, Palm Beach, 2 p.m.
- **Thursday, January 8, 2015**  
The Ritz-Carlton, Naples, 2 p.m.
- **Tuesday, February 3, 2015**  
The Brazilian Court, Palm Beach, 8:30 a.m.
- **Tuesday, February 3, 2015**  
Renaissance Boca Raton Hotel, Boca Raton, 2 p.m.
- **Wednesday, February 4, 2015**  
The Ritz-Carlton, Fort Lauderdale, 8:30 a.m.

Our speakers will provide information about compliance with state residency rules. Many people have learned about these rules the hard way. With good intentions, they did all the things they thought they needed to do in order to take up residency outside of their old state - they filed affidavits of domicile in the new state, registered their automobiles in that state, obtained new driver's licenses, and registered to vote.

Unfortunately, most people aren't aware that a residency determination is based on more than mere declarations or physical presence in the state. In a residency case, the burden of proof is on the taxpayer. Even after you've moved out of one state, if you maintain living quarters in that state and visit from time to time, you may still be considered a resident of that state for tax purposes.

**Attorneys**

Katherine Cauley  
Thomas Collura  
Paul Comeau  
Joseph Endres  
Daniel Kelly  
Mark Klein  
Timothy Noonan

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This seminar will provide you with information on issues that may be beneficial in protecting your assets and avoiding pitfalls when moving out of a state or maintaining dual residences:

- New Residency and Allocation Issues
- Proactive Preparation for Nonresident Audits
- Multigenerational Planning
- Florida: What's Different?
- What Is a Statutory Resident, and Why Should You Care?
- Current Planning Techniques (Including an Update on Family Limited Partnerships)
- Protecting Your Assets and Reducing Tax on Transfers to Your Family
- Other Hot Topics

**Who should attend:** Individuals with dual residences, non-Florida residents, in-house tax counsel, accountants, tax managers, financial planners, insurance executives, high-net-worth individuals

While primary emphasis will be on New York's approach to residency issues, the concepts discussed are applicable throughout the United States.

### Speakers:

**Paul Comeau** is based in our Palm Beach and New York City offices. Paul concentrates his practice in estate and tax planning, taxation law, business planning law, and business acquisitions law. He is co-editor of *New York Tax Service*, co-editor of *New York Tax Cases*, and co-chair of the Multistate Tax Committee of the New York State Bar Association Tax Section. He is co-author of CCH's *New York Residency and Allocation Audit Handbook* and NYSBA's *Contesting New York Tax Assessments*. Paul is admitted to practice in Florida (1975) and New York (1974).

**Katherine Cauley** is the leader of the Estates & Trusts and Private Wealth Planning Practices. She concentrates her practice in all aspects of U.S. and Canada/U.S. cross-border tax and estate planning and administration, private foundations and charitable giving, trust administration, and business succession planning. She is a past contributor to *Canadian Tax Highlights*, and she recently co-authored "Broadening New York's Decanting Statute" for *New York Law Journal*. She is also co-author of *Taxation of Distributions From Qualified Plans*, a treatise published by Warren, Gorham, and Lamont of the RIA Group, and she speaks regularly on estates and trusts issues. Kathy is admitted in New York; she is not admitted to the Florida Bar.

**Daniel Kelly** is an associate in Hodgson Russ's Tax Practice Area. Dan counsels corporations and individuals on a wide range of tax matters, with a focus on New York State, New York City, Florida, and multistate tax planning and controversy. He is admitted to practice in Florida and New York.

**Mark Klein** has extensive federal, multistate, state, and local tax experience. He is a past instructor of state taxation and tax practice and procedure at the University at Buffalo School of Management Tax Certificate Program and is chair of the State

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and Local Taxation Section of the ACE Accounting Society. Mark is editor of *New York Tax Highlights*; contributing editor of CCH's *Guidebook to New York Taxes*; and co-author of CCH's *New York Residency and Allocation Audit Handbook*, CCH's *New York Sales and Use Tax Answer Book*, and NYSBA's *Contesting New York Tax Assessments*. Mark is admitted to practice in New York (1983), in Florida (1983), and before the U.S. Supreme Court.

**Timothy Noonan** is leader of the firm's New York State Residency Practice. He has handled numerous residency cases in New York over the past decade, including the 2014 *Gaied* case, which was one of the first New York residency cases to ever reach New York's highest court. Tim also co-authored the 2014 edition of the CCH *Residency and Allocation Audit Handbook*, and he is often quoted by media outlets, including the *Wall Street Journal*, *New York Times*, and *Forbes*, on residency and other state tax issues. Tim is the "Noonan" in "Noonan's Notes," a monthly column in *Tax Analysts' State Tax Notes* and speaks frequently on state tax issues. Tim is admitted in New York; he is not admitted to the Florida Bar.

*This seminar is approved for 2 hours of technical business continuing professional education credit by the Florida Department of Business & Professional Regulation, Sponsor/Provider #0002615, approved by the CFP Board for 2 hours continuing education credit, Sponsor/Provider #3503, and approved by The Florida Bar for 2.5 hours of general CLER credit.*

Contact Courtney Pfeffer if you have any questions.