

**46<sup>th</sup>**  
*annual*

# **BANK & CAPITAL MARKETS TAX INSTITUTE**

**NOVEMBER 2-4, 2011**

**BUENA VISTA PALACE HOTEL & SPA | ORLANDO**

## **IRS Developments**

**Clark Wulf, Corporate Tax Director  
KeyCorp**

**Neal Yaros, Partner  
Deloitte Tax LLP**

**John Niemiec, Director  
Deloitte Tax LLP**

**Brian Falk, Director  
Deloitte Tax LLP**

**Vincent J. Guiliano, Banking Industry Counsel  
Internal Revenue Service**

**Jeffrey Kammerman, Technical Advisor  
Internal Revenue Service**

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**Tiered Issues – Knowledge management**

**Compliance Assurance Program – Lessons Learned**

**Requesting provision workpapers**

**UTP Form**

# Distressed Debt Issues

- Charge-off's on loans with carryover basis for tax and FMV for books (SOP-03)
- Charge off of REMIC interest
- Determining charge offs using “pooling”
  - Use of statistical sampling
- Loans accounted for on cost recovery method for books
- Tax treatment of OREO expenses
- Charge off of securitized loans that are sales for books and financing arrangements for tax
- Acquisition of distressed debt
  - Accretion of market discount
  - Report of Bank Examiner

# Interchange and Merchant Discount Fees - Update

- Accounting method changes
- Debit cards
- Deferral calculations

## Section 265 Peoples Bank Case

- Contributed v. purchased securities
- Economic substance rules