



IT'S AWARD SEASON



The Emmy Awards in September mark the beginning of what is known as the film award season. That got us thinking that there are awards for TV, music, people's choice and a seemingly endless number of other categories. But the award for "the thing that should have an award but does not have an award" is....*drum roll...* SALES TAX!

However, sales tax awards are not easy to give out. After all, we were going to name them the Tax-eyes but we didn't want people thinking of the yellow cabs. Plus, if anything, the awards should be named after something that isn't taxable in New York State, not a service that New York sneaks a tax onto. We also weren't sure what the award should look like. We wanted something accountants would recognize but a messy shoebox of paper just wasn't what we had in mind.

But without any further ado, here are some of the award winners:

The winner for worst reason a restaurant has inadequate records is... guest checks are used as scrap paper and for doodling so half of them are missing! Simply not keeping records whatsoever was a close second place because auditors seem to feel it shows a blatant disregard for a vendor's responsibility to keep records. However, using guest checks as scrap paper is the winner because the restaurant is close to having adequate records but cannot resist the ease of writing on the guest checks instead of writing on something else. Sure, restaurants need to keep other records too but guest checks are sequentially numbered for a reason.

The winner for most confusing and often overbearing tax concept is... nexus! Between the lack of continuity between the states and the ever-changing regulations because of e-commerce, no other concept ever stood a chance to win this award. If you haven't looked into the nexus rules in the past 5 minutes, your knowledge is probably outdated. And ignorance will not help you when another state comes knocking on your door demanding you pay them.

The winner for the thing that does not exist no matter how many people claim it does is... software as a service! New York State tax law defines software. New York State tax law defines services. New York State tax law does not define "software as a service". Plenty of transactions related to software are taxable. Plenty of transactions related to services are nontaxable. It seems as if nobody knows if "software as a service" is taxable or not because it does not exist under New York State tax law. If you think you're selling "software as a service", please call us right now so we can help you.

The winner for most common reason an exemption certificate will not be accepted is... it is from the wrong state/it is an IRS exemption! This was another hotly contested award given there are a lot of rules related to when and how one can be accepted. But at the end of the day, the winner was chosen because the exemption needs to match the tax. If you want the exemption to apply to New York State sales tax, you must receive a New York State certificate and it must be for sales tax. An IRS income tax exemption is not helpful.

Please give us a call to help ensure your business doesn't make this list next year!

SALES TAX DEFENSE MILLENNIAL AWARD WINNER



While the rest of the world has been engulfed in award season, so has the tax world! On Thursday, September 15th 2016, Long Island Business News held its first annual Millennial Awards Dinner.

Joseph Calamia II, CPA from Sales Tax Defense LLC was one of the recipients of this coveted award. All of Joseph's hard work making the world of sales tax a little less confusing for everyone else was recognized at this prestigious

ABOUT OUR FIRM



We are a dedicated team of sales and use tax professionals who have committed our careers to helping businesses and fellow professionals with sales and use tax problems.

Since the only work we are focused on is sales tax consulting, businesses never have to be

event!

Congratulations Joseph!

concerned that we will try to sell them other services they do not need. And professionals never have to be concerned with us encroaching on their client relationships, because we view you, our fellow professional, as our client.



UPCOMING SEMINARS

THURSDAY, SEPTEMBER 29TH 2016

8:00-10:00AM

AANG Meeting- The Milleridge Inn 585 Jericho NY

Tuesday, October 13th 2016

8:00-10:00am

Hunters Steak and Ale house in Brooklyn NY

Thursday, October 27th 2016

7:30pm-9:15pm

Long Island University Brookville NY

Thursday November 16th 2016

1:45pm

Crest Hollow Woodbury, NY

Friday November 17th 2016

3:35pm

Crest Hollow Woodbury, NY

To find out more about registration and topics click here: [seminar page](#)

WHEN YOU HAVE A SALES TAX PROBLEM, *WE ARE THE SOLUTION!*

CALL: **631-491-1500**

CONTACT US!

“

We really settled.... Gordon and I are blown away. I'm not kidding when I tell you (and I have witnesses – my entire office) that when I hung up the phone I had tears streaming down my face. Thank you!”

-Brian B, CFO

MORE TESTIMONIALS

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