This document is referenced in an endnote at the Bradford Tax Institute. CLICK HERE to go to the home page.

Form **4684** 

Department of the Treasury Internal Revenue Service

Name(s) shown on tax return

## **Casualties and Thefts**

▶ Go to www.irs.gov/Form4684 for instructions and the latest information.▶ Attach to your tax return.

▶ Use a separate Form 4684 for each casualty or theft.

OMB No. 1545-0177

2020
Attachment Sequence No. 26

Identifying number

SECTION A-Personal Use Property (Use this section to report casualties and thefts of property not used in a trade or business or for income-producing purposes. You must use a separate Form 4684 (through line 12) for each casualty or theft event involving personal use property. If reporting a qualified disaster loss, see the instructions for special rules that apply before completing this section.) If the casualty or theft loss is attributable to a federally declared disaster, check here  $\Box$  and enter the DRor EMdeclaration number assigned by FEMA. (See instructions.) 1 Description of properties (show type, location (city, state, and ZIP code), and date acquired for each property). Use a separate line for each property lost or damaged from the same casualty or theft. If you checked the box and entered the FEMA disaster declaration number above, enter the ZIP code for the property most affected on the line for Property A. Type of Property City and State **ZIP Code Date Acquired** Property A Property **B** Property C Property **D Properties** В C 2 Cost or other basis of each property . . . . . 2 3 Insurance or other reimbursement (whether or not you filed a claim) (see instructions) . . . . . 3 Note: If line 2 is more than line 3, skip line 4. 4 Gain from casualty or theft. If line 3 is more than line 2, enter the difference here and skip lines 5 through 9 for that column. See instructions if line 3 includes insurance or other reimbursement you did not claim, or you received payment for your loss in a later tax year . . . 5 **5** Fair market value **before** casualty or theft . . . . Fair market value after casualty or theft . . . . . 6 **7** Subtract line 6 from line 5 . . . . . 7 Enter the **smaller** of line 2 or line 7 8 8 9 Subtract line 3 from line 8. If zero or less, enter -0-. . 9 Casualty or theft loss. Add the amounts on line 9 in columns A through D . . . . . 10 Enter \$100 (\$500 if qualified disaster loss rules apply; see instructions) . . . 11 Subtract line 11 from line 10. If zero or less, enter -0- . 12 Caution: Use only one Form 4684 for lines 13 through 18. **13** Add the amounts on line 4 of all Forms 4684 13 14 Add the amounts on line 12 of all Forms 4684. If you have losses not attributable to a federally declared disaster, see 14 Caution: See instructions before completing line 15. 15 • If line 13 is more than line 14, enter the difference here and on Schedule D. Do not complete the rest of this section. • If line 13 is **equal** to line 14, enter -0- here. **Do not** complete the rest of this section. • If line 13 is less than line 14, and you have no qualified disaster losses subject to the \$500 reduction on line 11 on any Form(s) 4684, enter -0- here and go to line 16. If you have qualified disaster losses subject to the \$500 reduction, subtract line 13 from line 14 15 and enter the smaller of this difference or the amount on line 12 of the Form(s) 4684 reporting those losses. Enter that result here and on Schedule A (Form 1040), line 16, or Form 1040-NR, Schedule A, line 7. If you claim the standard deduction, also include on Schedule A (Form 1040), line 16, the amount of your standard deduction (see the Instructions for Forms 1040 and 1040-SR). Do not complete the rest of this section if all of your casualty or theft losses are subject to the \$500 reduction. 16 17 Enter 10% of your adjusted gross income from Form 1040, 1040-SR, or 1040-NR, line 11. Estates and trusts, see 17 18 Subtract line 17 from line 16. If zero or less, enter -0-. Also, enter the result on Schedule A (Form 1040), line 15, or Form 1040-NR, Schedule A, line 6. Estates and trusts, enter the result on the "Other deductions" line of your tax 18

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Name(s) shown on tax return. Do not enter name and identifying number if shown on other side.

Identifying number

<u> </u>	TION D. C.							
	TION B—Business and Income-Producing P			-b	الدين منامين	ft /		
	Description of properties (show type, location, and date at the same casualty or theft. See instructions if claiming a	cquire	d for each property).	Use a s	separate line	for each prop		
	,				ent scheme	and Section	C IS III	ot completed.
	Property A							
	Property B							
	Property C							
	Property <b>D</b>				Duan	oution		
			Α		В	erties C		D
	Continuadi ustad basis of sook assesses.	20	A		В			<u> </u>
20	Cost or adjusted basis of each property	20						
21	Insurance or other reimbursement (whether or not you	21						
	filed a claim). See the instructions for line 3	21						
	, ,							
22	Gain from casualty or theft. If line 21 is <b>more</b> than line 20, enter the difference here and on line 29 or line 34, column (c), except as provided in the instructions for line 33. Also, skip lines 23 through 27 for that column. See the instructions for line 4 if line 21 includes insurance or other reimbursement you did not claim, or you received payment for your loss in a later tax year	22						
23	Fair market value <b>before</b> casualty or theft	23						
24	Fair market value after casualty or theft	24						
25	Subtract line 24 from line 23	25						
26	Enter the <b>smaller</b> of line 20 or line 25	26						
	<b>Note:</b> If the property was totally destroyed by casualty or lost from theft, enter on line 26 the amount from line 20.							
27	Subtract line 21 from line 26. If zero or less, enter -0	27						
28	Casualty or theft loss. Add the amounts on line 27. Enter the	ne tota	l here and on line 29	or line	34 (see instr	uctions) .	28	
Pai	t II Summary of Gains and Losses (from s	epar	ate Parts I)	(b)	Losses from o	asualties or the	fts	(c) Gains from
	(a) Identify casualty or theft (i) Trade, business, rental, or royalty property (ii) Incomproducing property						casualties or thefts includible in income	
	Casualty or Theft	of P	roperty Held On	e Yea	r or Less			
29				(	)	(	)	
				(	)	(	)	
30	Totals. Add the amounts on line 29		30	(	)	(	)	
31								
32	Enter the amount from line 30, column (b)(ii) here. Individu							
-	Schedule A (Form 1040), line 16, or Form 1040-NR, Sched							
	an employee.) Estates and trusts, partnerships, and S corp						32	
	Casualty or Theft o	f Pro	perty Held More	e Thar	One Yea	ar		
33	Casualty or theft gains from Form 4797, line 32						33	
34				(	)	(	)	
				(	)	(	)	
35	Total losses. Add amounts on line 34, columns (b)(i) and (b	)(ii) .	35	(	)	(	)	
36	Total gains. Add lines 33 and 34, column (c)						36	
37	Add amounts on line 35, columns (b)(i) and (b)(ii)						37	
38	If the loss on line 37 is <b>more</b> than the gain on line 36:							
а	a Combine line 35, column (b)(i) and line 36, and enter the net gain or (loss) here. Partnerships and S corporations, see the <b>Note</b> below. All others, enter this amount on Form 4797, line 14. If Form 4797 is not otherwise required, see instructions						38a	
t	Enter the amount from line 35, column (b)(ii) here. Individu Schedule A (Form 1040), line 16, or Form 1040-NR, Schedule an employee.) Estates and trusts, enter on the "Other	ıals, eı dule A, deduc	nter the amount fron line 7. (Do not inclustions" line of your	de any l tax retu	oss on prop	erty used as		
39	corporations, see the <b>Note</b> below	e 36, c	combine lines 36 and	37 and			38b 39	

Note: Partnerships, enter the amount from line 38a, 38b, or 39 on Form 1065, Schedule K, line 11. S corporations, enter the amount from line 38a or 38b on Form 1120-S, Schedule K, line 10.

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SECTION C-Theft I	Loss Deduction for	Ponzi-Type Inves	tment Scheme U	sing the Procedure	s in Revenue
Procedure 2009-20 (					

	rt I Computation of Deduction				,
40	Initial investment	40			
41	Subsequent investments (see instructions)	41			
42	Income reported on your tax returns for tax years prior to the discovery year				
	(see instructions)	42			
43	Add lines 40, 41, and 42	43			
44	Withdrawals for all years (see instructions)	44			
45	Subtract line 44 from line 43. This is your total qualified investment	45			
46	Enter 0.95 (95%) if you have no potential third-party recovery. Enter 0.75 (75%) if you have				
	potential third-party recovery	46			
47	Multiply line 46 by line 45	47			
48	Actual recovery	48			
49	Potential insurance/Securities Investor Protection Corporation (SIPC) recovery	49			
50	Add lines 48 and 49. This is your total recovery	50			
51	Subtract line 50 from line 47. This is your deductible theft loss. Include this amount on line				
	28 of Section B, Part I. Do not complete lines 19–27 for this loss. Then complete Section B,				
	Part II	51			
Ра	rt II Required Statements and Declarations (See instructions.)				
	m claiming a theft loss deduction pursuant to Revenue Procedure 2009-20 from a specified fr ividual or entity.	auduler	nt arrangemen	nt conducted by	y the following
Na	me of individual or entity				
Tax	payer identification number (if known)				
Ad	dress				
I ha	ave written documentation to support the amounts reported in Part I of this Section C.				
I ar	n a qualified investor, as defined in section 4.03 of Revenue Procedure 2009-20.				
	have determined the amount of my theft loss deduction using 0.95 on line 46 above, I declare the potential third-party recovery, as that term is defined in section 4.10 of Revenue Procedure 200 $^{\prime}$		ve not pursued	d and do not in	tend to pursue
Ιa	gree to comply with the conditions and agreements set forth in Revenue Procedure 2009-20 and	I this Se	ection C.		
adj	have already filed a return or amended return that does not satisfy the conditions in section (ustments or actions that are necessary to comply with those conditions. The tax year(s) for white(s) on which they were filed are as follows:				

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## SECTION D—Election To Deduct Federally Declared Disaster Loss in Preceding Tax Year (See instructions.) Part I Election Statement

By providing all of the information below, the taxpayer elects, under section 165(i) of the Internal Revenue Code, to deduct a loss attributable to a federally declared disaster and that occurred in a federally declared disaster area in the tax year immediately preceding the tax year the loss was sustained.

Attach this Section D to your return or amended return for the tax year immediately preceding the tax year the loss was sustained to claim the disaster loss deduction.

- 52 Provide the name or a description of the federally declared disaster.
- 53 Provide the date or dates (mm/dd/yyyy) of the loss or losses attributable to the federally declared disaster.
- 54 Specify the address, including the city or town, county or parish, state and ZIP code where the damaged or destroyed property was located at the time of the disaster.

## Part II Revocation of Prior Election

By providing all of the information below, the taxpayer revokes the prior election under section 165(i) of the Internal Revenue Code to deduct a loss attributable to a federally declared disaster and that occurred in a federally declared disaster area in the tax year immediately preceding the tax year the loss was sustained.

Attach this Section D to your amended return for the tax year immediately preceding the tax year the loss was sustained to remove the previous disaster loss deduction.

- **55** Provide the name or a description of the federally declared disaster and the address of the property that was damaged or destroyed and for which the election was claimed.
- 56 Specify the date (mm/dd/yyyy) you filed the prior election, which you are now revoking. (See instructions and note that new rules went into effect on October 13, 2016.)
- 57 Enclose your payment or otherwise provide evidence for, or explanation of, your arrangements for the repayment of the amount of any credit or refund which you received and which resulted from the prior election (which you are now revoking).

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