

2025 UVM Tax School

Cases and Rulings

Mark A. Langan and Brian R. Murphy

Denham v. Commissioner, *T.C.* *Memo 2024-114*

- I.R.C § 1402 – Partners were not passive investors and had to pay self-employment tax on their distributive share of partnership income

Norwich Commercial Group v. Commissioner, *T.C.* *Memo 2025-43*

- I.R.C. § 162 – Claim of Right Doctrine – Taxpayer entitled to a deduction when it had a fixed obligation to repay amounts that it erroneously included in income

164 T.C. CF

Headquarters v. Commissioner *No. 5* (2025)

- I.R.C. § 61 – Taxpayer had to include grant proceeds in income

Catholic Charities Bureau v. Wisconsin Labor and Industry Review Commission *605 US ___ (2025)*

- First Amendment to the Constitution—
Application of a religious exemption to only
organizations that conduct certain religious
activities violated the First Amendment

Safdieh v. Commissioner, *No. 25-501 (2nd Circuit 2025)**

- I.R.C. - § § 6201, 6038 – The IRS could assess penalties for failure to file information returns reporting an interest in a foreign corporation

US v. Hatch, *No. 1:22-cv-00332m* *(D.C. RI. 2025)*

- I.R.C § 6321 – The IRS likely could not enforce a lien against property owned by the taxpayer's sister

Root v. Commissioner, *T.C. Memo 2024-106*

- I.R.C. § 172 – Taxpayers could not claim an NOL deduction for their failed lodge activities

Kelly v. Commissioner, *No. 23-70040 (9th Circuit 2025)*

- § 166 – No bad debt deduction allowed when loans were canceled

US v. Byers, *No. 23-3751 (8th Circuit 2025)*

- I.R.C. § 7403 – The taxpayer's spouse did not have an interest in his property, and it could be sold to satisfy his tax liability

Commissioner v. Zuch, *604 U.S. ____ (2025)*

- I.R.C § 6330 – The Tax Court lacked jurisdiction to resolve a dispute between the IRS and a taxpayer when the IRS abandoned its levy

Estate of Anne Milner Fields v. Commissioner, *T.C. Memo 2024-90*

- I.R.C. § 2036 – The court disallowed use of a family LLP to claim discounts for lack of control and lack of marketability

Becker v. Commissioner, *T.C. Memo 2024-89*

- I.R.C. § 2042 – Proceeds from life insurance policies owned by an irrevocable life insurance trust were not included in the gross estate

Larosa v. Commissioner, *163 T.C. No. 2 (2024)*

- I.R.C. § 6015 – The taxpayer could not claim innocent spouse relief to avoid repaying an erroneous refund

Witasick v. Commissioner, *T.C. Memo 2024-112*

- I.R.C. § 6501 – A conviction for tax evasion indefinitely suspended the statute of limitations on assessment

McDougall v. Commissioner, *163 T.C. No. 5 (2024)*

- I.R.C. § § 2501, 2511 – Termination of a marital trust and distribution of the trust assets to the surviving spouse resulted in a gift from the remainder beneficiaries to the surviving spouse

Pierce v. Commissioner, *T.C. Memo 2025-29*

- I.R.C § § 2501, 2512 – The court accepted the taxpayers' lack of control and lack of marketability discounts to value a gift to a trust