

Table of Contents

Foreign Income Exclusion and Form 2555	1
Definitions	1
U.S. citizen.....	1
Alien.....	2
Resident alien.....	2
United States	4
Translating foreign currency.....	4
Blocked income	6
Foreign tax treaties.....	6
Foreign earned income exclusion	9
Foreign earned income.....	9
U.S citizen or resident alien	13
Tax home in foreign country	13
Presence tests	16
Excludable amount	24
Foreign housing exclusion or deduction	24
Housing expenses.....	25
Excludable amount	26
Social Security taxes	29
Self-employment tax	31
Claiming exclusion(s)	33
Voluntary election.....	33
Revoking the exclusion.....	34
Extension of time to qualify.....	35
Part-year exclusion.....	35
Exemptions, deductions and credits.....	37
Filing requirements	39
Form 2555	39

Unique circumstances.....	55
Comprehensive example	56
ISO Plans, RSU Plans and ESPPs	69
ISO	69
Funding the exercise price.....	71
Selling ISOs.....	71
RSU.....	78
ESPP	80
Qualifying disposition.....	82
Disqualifying disposition	83
Section 83(i) election.....	85
Making the election	86
Installment Sales.....	91
Calculating installment sale income	91
Interest income	92
Gross profit percentage.....	92
Fixed payment period.....	94
No stated maximum selling price or fixed payment period	94
Purchase price adjustments	95
Disposition of installment notes	96
Repossessions.....	97
Related party sales	100
Sale of depreciable property.....	100
Two-year disposition rule.....	101
Electing out.....	102
How to elect out.....	102
Preparing Form 6252	103
Heading	103
Part I – Gross Profit and Contract Price.....	104
Part II – Installment Sale Income.....	106

Part III – Related Party Installment Sale Income	107
Comprehensive example	108
Publicly Traded Partnerships (PTP)	119
Master limited partnership	120
PTP package	120
Reporting PTP activity	121
Part I	121
Part II	121
Part III	122
Basis tracking	133
Loss limitations	133
Selling a PTP.....	134
Sales schedule.....	135
Consolidated 1099 package	137
Claim of Right Adjustments.....	145
Deduction or credit	145
Calculating the adjustment	146
Repaid wages subject to Social Security and Medicare taxes	147
Life Estate	151
Sale of life estate and remainder interest	152
Single life estate.....	153
Joint life estate.....	155
Like-kind Exchanges	161
Exchanger.....	161
Qualifying property	162
Property must be like-kind.....	163
Intent of property ownership.....	165
Safe harbor for mixed-use property.....	166
Holding period for property	168
Related party exchanges.....	169

Exchange terms	171
Exchange provisions	172
Basis and depreciation	188
Depreciation of replacement property	191
Additional considerations	194
Installment obligations	194
Depreciation recapture	197
The §121 exclusion	199
Reporting like-kind exchanges	200
Form 8824	200
Comprehensive example	202
Appendix	215
Like-kind Exchange Worksheet	215
Index.....	217