

CUTT CANADA US TAX TEAM

CROSS-BORDER TAX SOLUTIONS



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The level of business and personal interaction between Canada and the US has experienced significant growth in recent years. Businesses regularly expand across the border in what is generally regarded as a natural first step to international growth. Canada is the largest trading partner of the US and vice versa. Nearly 80% of Canadian exports are destined for the US.

Both Canada and the US taxpayers are subject to complex and pervasive tax systems, which are regulated by a combination of US and Canadian tax laws, NAFTA and the US Canada Tax Treaty.

The UHY Canada US Tax Team ("CUTT") consists of a dedicated group of UHY tax professionals located in Canada and the US, who have expertise in the intricacies of cross-border tax issues. Our objective is to develop practical and integrated approaches for clients dealing with the IRS, CRA and other tax authorities.

CUTT CAN HELP WITH THE FOLLOWING "HOT" CROSS-BORDER ISSUES

TRANSFER PRICING - Planning, documentation and implementation reflecting recent rulings.

PRESENCE IN THE OTHER COUNTRY - Corporate structures with an integrated perspective.

EMPLOYEE TRANSFERS - Equalization, departure/assignment planning, payroll, compliance.

PURCHASE AND SALE OF REAL ESTATE - Tax planning, withholdings, FIRPTA, Sec. 216 elections.

TAX TREATY ANALYSIS AND APPLICATION - Avoiding double tax, planning foreign tax credits.

USE OF HYBRIDS AND FLOW-THROUGH ENTITIES - LP's, LLC's, S Corps, ULC's.

EX-PATS - AMERICAN'S NON-COMPLIANT WITH US TAX FILINGS - FBAR's, Forms 5471, 8891.

FBAR/FATCA ISSUES - Reporting requirements, Form 8938.

CROSS-BORDER MERGERS & ACQUISITIONS - Structuring, due diligence, tax planning.



CORPORATE

- Structuring inbound and outbound business expansions.
- Use of Corporations, Partnerships, S Corps, LLC's, hybrid corporations, joint ventures, ULC's.
- Regulations relating to providing services across the border, including Regulation 105 and FIRPTA.
- Regulations relating to transfer and movement of employees across the border, including Regulation 102 and FIRPTA and tax equalization.
- Regulations 102 and Regulation 105 waiver applications.
- Sales taxes (GST, HST, QST, State and county sales taxes).
- Corporate tax issues.
- Foreign reporting.
- Provincial and state taxes.
- Withholding tax rates.
- Payroll administration and year-end reporting requirements.
- Analysis of available corporate tax incentives and government assistance, including Research and Development.
- Planning, documenting and implementing effective transfer pricing policies.
- Sale of a cross-border business.
- Cross-border real estate ventures.
- Developing local business and banking contacts.
- OVDI and voluntary disclosures.



TRUSTS AND ESTATES

- Settling cross-border estates.
- Cross-border Trust and Estate planning and administration.
- Tax planning to minimize exposure to US Estate Taxes.

PERSONAL

- Personal income tax return preparation and planning.
- Residency for tax purposes.
- Taxation of employee stock options.
- Foreign reporting, including T1135 and FBAR.
- Planning for US Estate Taxes.
- Non-compliant US tax filers.
- Analysis of the tax ramifications of a cross-border move.
- Structuring cross-border real estate holdings.
- OVDI and voluntary disclosures.

SELECTED FORMS

			
• FBAR	• Form 8621	• T1134	• NR301
• Form 3520	• Form 8833	• T1135	• NR302
• Form 3520-A	• Form 8891	• T1141	• NR303
• Form 5471	• Form 8938	• T1142	
• Form 5472		• T106	

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