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IRS provides temporary procedures allowing fax of material advisor disclosure statement (COVID-19)

The IRS today posted a set of “frequently asked questions” (FAQs) providing a temporary procedure for the fax transmission of Form 8918, “Material Advisor Disclosure Statement.”

The FAQs (October 22, 2020) are posted on the IRS webpage that includes guidance in response to the coronavirus (COVID-19) pandemic. The guidance in the FAQs is effective “until further notice.”

Read the [FAQs](#) (text is also provided below):

1. Who Must File Form 8918?

Generally, every material advisor to a reportable transaction is required to file Form 8918. A material advisor can be an individual, trust, estate, partnership, or corporation.

2. Does this change affect me?

This change applies to material advisors to a reportable transaction who file Form 8918 to disclose certain information about the reportable transaction.

3. Who is a material advisor?

You are a material advisor to a transaction if you:

- *Provide any material aid, assistance, or advice with respect to the organizing, managing, promoting, selling, implementing, insuring, or carrying out any reportable transaction, and*
- *Directly or indirectly receive or expect to receive gross income in excess of the threshold amount for the material aid, assistance, or advice.*

Refer to the Instructions for [Form 8918](#) for more Form 8918 guidance.

4. How was Form 8918 submitted to the IRS prior to this change?

Previously, material advisors mailed the paper Form 8918 to the IRS.

5. If I previously mailed in my Form 8918, can I now fax it to 844-253-5607?

No. If you mailed the paper Form 8918 in the 2020 calendar year, you should not fax a second copy.

6. Will the IRS accept Form 8918 without signature?

No. You must sign Form 8918 before you fax it to the IRS.

7. Will the IRS provide a fax confirmation or receipt?

*No. The IRS will not provide a fax confirmation of receipt of Form 8918. Please check your fax transmission log to verify that all Form 8918 pages were sent.
The IRS will send a Letter 4373, which provides a Reportable Transaction Number and other information to the material advisor.*

8. Where can I go for more information on Form 8918, Material Advisor Disclosure Statement?

Refer to Instructions for Form 8918.

9. What should I include on the fax cover sheet?

The fax coversheet should include the following:

- *Subject: Form 8918*
- *Sender's name, title, phone number, address*
- *Material Advisor's name*
- *Date*
- *Number of pages faxed (including cover sheet)*

Do not include sensitive information on the cover sheet, such as Employer Identification Number or Social Security Number.

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