

IRM PROCEDURAL UPDATE

DATE: 11/25/2014

NUMBER: WI-21-1114-1627

SUBJECT: Clarified 135C Letter Procedures

AFFECTED IRM(s)/SUBSECTION(s): 21.3.3.4.16.1.2

CHANGE(s):

IRM 21.3.3.4.16.1.2(8) Added an exception for issuance of a 135C Letter for corporate or sole proprietor taxpayers.

8. In response to requests from a third party with no authorization attached, search Centralized Authorization File (CAF) or Reporting Agent File (RAF) on IDRS. RAF records third-party authorizations. See IRM 21.3.9.3, *Authorizations - Form 8655, Reporting Agent Authorization*, for more information. If authorization is on file, verify that the third party is authorized to receive requested information. If you cannot locate an authorization **and** the unauthorized third party is expecting a response, do the following:
 1. Initiate Letter 135C, *Power of Attorney Needed to Furnish Information*, to the unauthorized third party advising that we are unable to provide requested information.

EXCEPTION: For BMF taxpayers **only** - If the correspondence from the unauthorized third party is on the corporate or sole proprietor's letterhead and the address matches the address of record, do not send a 135C letter to the unauthorized third party.

CAUTION: Do NOT use TIN of the taxpayer as a controlling device on Letter 135C.

2. Initiate the appropriate C Letter to the taxpayer and explain we are unable to provide information to the unauthorized third party. See IRM 21.3.3.3.4(5), Quality and Timely Responses, to ensure the taxpayer receives a complete response.
3. Capture the "request completed" screen for command code (CC) LETER according to IRM 21.5.1.5.1, *C/S General Guidelines*. Notate on CIS a 135C Letter was sent to an unauthorized third party.