



DANIEL TIMINS

LAW OFFICES

THE LEGAL BULLETIN

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We Are The 80's

Ah, to be young again. I think back to my youth, 35 years ago, and remember when Rambo won the Cold War, only modest simpletons questioned if vaccines were a good thing, and break dancing was a human mating display. A time people could simply ignore the daily probability of nuclear annihilation, blithely accept Bobby didn't really die and it was all just a ratings-hemorrhaging nightmare, and children played outside without Child Protective Services reporting their parents to MSNBC and FOX and Friends for public shaming. Transformers, Cabbage Patch Monstrosities, Ferris Buller, THE MOON WALK! It was a different, totally awesome time.



I'm coming for you next Gorby! Sitsky down and wait your turn!

An entire social epoch has matured since then. Wallet-sized cell phones, quinoa, 900 channels to watch on your television (though it still seems like only three are even modestly interesting). Yet despite today's bombardment of history-altering Tweets, bold-tasting \$6 coffees from far-off former-rainforests, and the realization the green-and-purple leafy vegetable that used to separate items at the salad bar is actually the most healthy thing there, I can't help but wonder if the world really changed that much during the subsequent decades, whether we really are better off, and whether we misinterpreted any signs that Generation X was heading toward its current location.

So take a Ride Into the Danger Zone in my phone booth time machine, on a sarcastic and satirical (and, as always, cynical) journey, in this pithy Newsletter Homage to 1984, back to a time when a 3 button TV remote was high tech, culture was defined by Iron Maiden album covers, and electing media personalities as president was an exception instead of a rule.

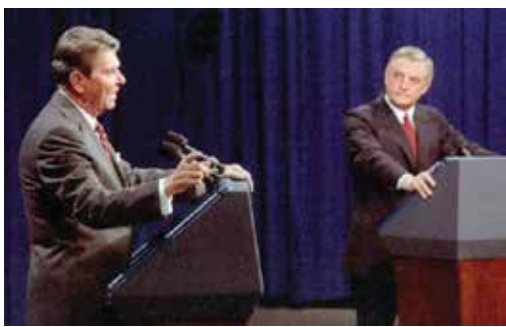


Welcome to 1984, where perms make me feel like, Totally Awesome! And so does attention.

1984 IN REVIEW!

Income Taxes:

Paying taxes is grody to the max, so much that I suspect our current tax system is a product of KGB meddling. But don't have a cow: Ronald Reagan and Congress are putting together a gnarly new tax act that should pass through Congress by 1986, thereby decreasing most people's federal income tax burdens, and creating many new jobs (primarily for new accountants). But before you go high fiving your suspiciously over-energetic stockbroker, remember that you are still stuck with the current tax rules under the Internal Revenue Code of 1954:



We look forward to the 1990s and beyond, when old white men shall no longer dominate our political landscape

The current maximum federal tax rate is 50%, which is expected to drop to 28%, so take a chill pill rich bro.

Crystal Ball: In 2019 it is 37%.

The bottom tax rate is 11%, which is expected to rise to 15%, which is sooooo bogus.

Crystal Ball: in 2019 it is 10%.

Corporate profits, now taxed at 50%, are going to 35%.

Crystal Ball: in 2019 it is 21%, and Lee Iacocca lived to see it happen!

Social Security, which was not taxable until last year, is now taxable up to half of your benefit.

Crystal Ball: in 2019, depending on your income, up to 85% of your Social Security is taxable.

The max permissible deductible IRA contribution shall stay at \$2,000.

Crystal Ball: in 2019 the max is \$6,000, and up to \$6,500 if you are 50 years old, AND we now have Roth IRAs too.

The Estate Tax exemption is a paltry \$325,000 with a top tax rate of 55% over \$3,000,000.

Crystal Ball: in 2019 the exemption is (wait for it) ... \$11,400,000 with a flat tax rate of 40% thereafter. A shame Leona Helmsley missed these glorious days.

Real Estate:

I know what you are saying: "Gag me with a spoon: NO WAY am I'm going to buy a 900 square foot apartment on the upper-west side next door to that vampire Goth teenager for \$250,000... that's \$277 per square foot!"

Crystal Ball: in 2019 its \$1,793 per square foot, a 647% return.

And if you've had enough of the Big City, you may still balk at buying a bucolic acre of undeveloped land in northern Westchester for the hefty price of \$19,280 or eastern Suffolk County at \$17,100.

Crystal Ball: Talk about missed opportunities.

And "Dude, I have more respect for myself than to live in Brooklyn." But hear me out: Land and real estate, while not historically providing the best

investment return on your dollar, does have other rad financial benefits attached to it. First, real estate taxes and mortgage interest has for decades had varying levels of income tax deductibility. Next, if you and your spouse own your real estate jointly you may be the unintended beneficiary of creditor protection as a "Tenant By The Entirety." Also, the greatest determinant of a positive net worth is long-term home ownership (duh). Mortgaging property effectively should allow you to leverage your investment.

Lastly, investment real estate often has tax deductions that are not available for other investments. So, like, don't be scared to buy more real estate if (1) the price is right, (2) you can afford to maintain and self-manage it, and (3) hold onto it for a long time.



Most real estate investors are humble, non-enigmatic folks. Sike!!

And if you are worried that you can't afford real estate on your own, or if you are a parent worried about your underemployed child getting locked-out of the real estate market, here is a tiny little secret: The vast majority of homeowners have some help with the down payment on their first home. This number shall likely increase if home prices ever do go up

Crystal Ball: they have.

Remember we are the good guys, not the Commies, so our government won't help you buy your home, only you (or your parents) can.

Health Care & Education Costs:

All good, nothing to see here! However, who knows? Maybe someday health care and higher education costs will be more than a mere finger rummage through our wallets. Remember that you may pay for any person's health or education costs without decreasing your lifetime gifting exemption. Also, you can create trusts that ensure your family members will have both assets for these necessities as well as protection from creditors. (Crystal Ball: we also have 529 Plans, but grants are more complicated to procure).

Royal(ty) Pains? Use a Trust!

RUN DMC broke all boundaries by using their sizable music talent to cash in on a future paycheck with their song "My Adidas". While this borderline-treasonous act of brazen corporate pandering shall likely never be repeated by any artist ever again, an honest capitalist must admire this ploy to secure the

\$1,600,000 advance Joseph "DJ Run" Simmons and Darryl "DMC" McDaniels received, as well as continuing royalties for the song's future use by both radio and the Adidas Corporation. But what shall they do as time Walks This Way forward and these royalties continue - but decrease - up to (and after) their deaths?



More Pressingly: Will white, college-educated males ever be a lucrative market for The Wrap Music?

My suggestion to all artists is to use a Trust to receive your royalties. Copyrights, trademarks and patents can continue long after you expire, and if you leave their proceeds to your estate you are requiring your Executor to

continuously receive an annually decreasing amount of funds with possible Court supervision the entire time. Since a Trust avoids court oversight and allows for simple changes in future trustees. Bottom line: Trusts are totally tubular for ensuring that long-lasting copyrights and other intellectual property are efficiently administered to.

Americans Privacy: What Was Orwell Smoking?

Here we are, in 1984, free from random government and corporate surveillance, mass media is hardly concerned with controlling the historical narrative, and we have freedom to express our thoughts without judgment from public Groupthink. Sorry George Orwell looks like your tea leaves were too gross to predict our rad future. (Crystal Ball: Even I know you are reading this right now). Of course, it never hurts to take some precautions to protect our privacy and maintain easy access to emergency property. And so, let's do a retro Dan Says:



**DAN 1984
SAYS VERSION**

- ★ Buy a Safe: I suggest holding vital papers and some "run money" in a safe in your home instead of a safe deposit box at your local bank. Only give the code to trusted individuals.
- ★ Write Down Your Passwords: While it is safe to say future Commie hackers will need a PhD and enormous super computer to access your digital files, it is still a good practice to have a physical list of your 4 to 5 computer passwords, account numbers and your accountant or attorney's contact info placed in that safe you now own.
- ★ Turn Physical Assets into Electronic Assets: Physical gold, EE Bonds, Stock Certificates and other hard

assets have historically protected people from unforeseen calamities, but they also make you a target for potential thieves. Plus, if they are hidden too well in your residence, they may be found behind your drywall in 50 years by some plumber instead of being found by your family. Have these assets transferred to investment accounts.

- ★ Catalog Jewelry and Collectibles: People are greedy, and money tempts good people into doing bad things. If you get sick or, like, pass away there may be a gold rush to your home and the early bird will get all the worms, leaving everyone else wondering what happened to all of grandma's wicked jewels. Make a list of your collectibles and share it with your attorney and executor.
- ★ Teach Your Family About Investing: There are no school classes that teach balancing a budget, asset diversification, or the compounding

of interest. If you don't teach your kids about investing, Fidel and Che will, and you don't want to raise a socialist, do you?

- ★ Beware of Investing With Strangers: Don't accept investment opportunities from people you do not know, who are uninsured and unregulated, who seem unqualified, or you do not trust. They are probably Sandinista rebels or Satan worshipping Head Bangers.
- ★ Save Physical Pictures: The one regret many older people have is a lack of pictures to remind themselves of their past experiences. Make sure to frame pictures from your youth, moments of achievement, and your friends and family members.



What Has Dan Been Doing?

February 5: Dan teaches on “Long Term Care & How to Fund It” at New York Public Library’s Science, Industry and Business Library. www.nypl.org/locations/sibl



New York
Public
Library

April 12: Dan teaches continuing legal education on “What Makes Lawyers Happy” for the New York State Bar Association’s Lawyer’s Assistance Program. www.nysba.org



March 7: Dan holds a group conference call regarding Medicaid planning for PSS Circle of Care. www.pssusa.org

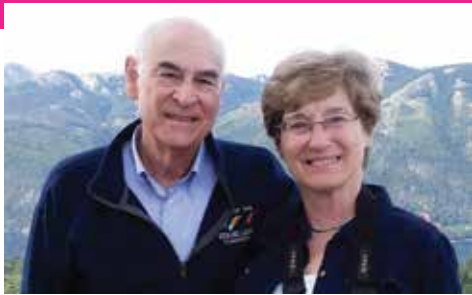
March 28: Dan holds a webinar on “10 Common Mistakes in Wills” for PSS Circle of Care. www.pssusa.org/resources



May 4: Dan provides pro bono services at the National Multiple Sclerosis Society’s Ann Davis Legal Day in Manhattan. www.nationalmssociety.org



May 21: Dan teaches continuing legal education on “More Probate, More Problems: Planning Estates Without Mistakes” for the Brooklyn Volunteers Lawyers Project. www.brooklynvlp.org



Drs. Bill and Julie Lupatkin. Heroes.

with two obnoxious stepchildren (of which I was the worst) while integrating us with his own son Andy into one family and running a large Pediatrics practice. He too succeeded in these heavy duties. Despite their pain and adversity, my parents shall truly celebrate their 35-year anniversary next year adored by many, respected by more.

Some of us never thank our parents enough, some of us never had the chance or were too scared, and some of us didn’t care to speak with them ever again. I hear stories of family quarrels and unshared words daily, which makes me even more thankful for my parents. Their work ethic and integrity inspired me, their morals and kindness to others enlightened me, and their love to one another taught me how to be a better husband and human. My firm’s financial security, my relationship with myself and my clients, and my life itself have all at some time fell upon their shoulders. In all my times of need (and there were many) they carried the burden without hesitation,

Special Thanks – My Parents

My father, Eugene, died in 1978 when I was four. From then until 1984 my mother Julie raised me and my sister Jessica while also working a full-time job as a radiologist at a male-dominated VA hospital. She faced countless barriers and unending challenges, so the chance she would be either a great single mother or a career success was unlikely. Like a hero from an ancient myth, she somehow did both.

In 1984 she was introduced to Bill, my stepfather who likewise lost his first spouse, Barbara. He took on the unenviable task of having to deal

RATED BY
Super Lawyers®
Daniel A. Timins

For the fourth year in a row Dan was named a New York Super Lawyer Rising Star for Estate Planning Law by his colleagues in the Trusts and Estates Community.

Avvo Ratings
10.0
Daniel Alan Timins
Top Attorney

Dan continues to maintain a 10 Rating, “Top Attorney” from Avvo.com, a web site devoted to informing the public of attorney’s reputations amongst their peers, the public and their clients. A continued thanks to all of his clients who helped him achieve this achievement!

I blog A LOT and have several written and published pieces that you can read to help you through all puzzling times. I also now have webinars, podcasts and videos uploaded, so visit my website and enjoy!



www.timinslaw.com

without question. Thank you for supporting and believing in me when I didn’t believe in anything, including myself. I love you.