

Massachusetts Department of Revenue

Form M-2848

Power of Attorney and Declaration of Representative

Part 1. Power of Attorney

Name of taxpayer(s) or principal reporting corporation

Social Security number(s)

Mailing address

Federal Identification number

City/Town

State

Zip

Phone number

Email address

Representative Information

Hereby appoint(s) the following individual(s) as attorney(s)-in-fact to represent the taxpayer(s) before any office of the Massachusetts Department of Revenue for the following tax type(s) and filing period(s) [specify the tax type(s) and year(s) or filing period(s) (date of death if estate tax)]:

Name of individual and firm	Address	Email address/phone number

Fill in oval if you wish to allow a DOR representative to communicate with any individual from firms listed above. ☐

Tax Type(s) & Filing Period(s) at Issue

Tax type(s)	Filing period(s)

The representative is authorized, subject to any limitations set forth below or to revocation, to receive confidential information and to perform any and all acts that the principal(s) can perform with respect to the above specified tax matters, such as the authority to sign any agreements, consents or other documents. The authority does not include the power to receive refund checks.

List below any specific additions or deletions to the acts otherwise authorized in this power of attorney:

Originals of notices and other written communications go to the taxpayer(s). Send copies of all notices and all other written communications addressed to the taxpayer(s) in proceedings involving the above tax matters to:

1 ☐ Appointee first named above, or

2 ☐ Another appointee designated above. Name \_\_\_\_\_

This power of attorney revokes all earlier powers of attorney on file with the Department of Revenue for the same tax matters and years or periods covered by this power of attorney, except the following (specify to whom granted, date and address including Zip code or attach copies of earlier powers):

**Signature of taxpayer(s) or authorized individual of principal reporting entity.** See instructions. If signed by a corporate officer, partner, or fiduciary on behalf of the taxpayer, I certify that I have the authority to execute this power of attorney on behalf of the taxpayer and/or principal reporting entity.

Signature (see instructions)

Title (if applicable)

Date

If signing for a taxpayer who is not an individual or a principal reporting corporation, type or print your name

Signature (see instructions)

Title (if applicable)


Date

**Part 2. Declaration of Representative.** All representatives must complete this section.

I declare that I am not currently under suspension or disbarment from practice within the Commonwealth or in any jurisdiction, that I am aware of regulations governing the practice of attorneys, certified public accountants, public accountants, enrolled agents and others, and that I am one of the following:

- 1** a member in good standing of the bar of the highest court of the jurisdiction shown below;
- 2** duly qualified to practice as a certified public accountant or public accountant in the jurisdiction shown below;
- 3** enrolled as an agent under the requirements of Treasury Department Circular No. 230;
- 4** a bona fide officer of the taxpayer organization or principal reporting corporation;
- 5** a full-time employee of the taxpayer;
- 6** a member of the taxpayer's immediate family (spouse, parent, child or sibling);
- 7** a fiduciary for the taxpayer;
- 8** other (describe relationship) \_\_\_\_\_

and that I am authorized to represent the taxpayer identified in Part 1 for the tax matters specified there.

Designation (insert appropriate number from above list)	Jurisdiction (state, etc.) or enrollment card number	Signature (see instructions)	Print name	Date
				

# Form M-2848 Instructions

## General Information

To protect the confidentiality of tax records, Massachusetts law generally prohibits the Department of Revenue (DOR) from disclosing information contained in tax returns or other documents filed with it to persons other than the taxpayer or the taxpayer's representative. For your protection, the Department requires that you file a Power of Attorney (POA) before it will release tax information to your representative. The POA also allows your representative to act on your behalf to the extent you indicate. Use Form M-2848, Power of Attorney and Declaration of Representative, for this purpose if you choose. You may file a POA without using Form M-2848, but it must contain the same information as Form M-2848 would.

You may use Form M-2848 to appoint one or more individuals to represent you in tax matters before the DOR. You may use Form M-2848 for any matters affecting any tax imposed by the Commonwealth, and the power granted is limited to these tax matters.

**For certain corporate excise matters under MGL ch 63.** By executing this agreement an officer of a principal reporting corporation filing under MGL ch 63, § 32B represents that the principal reporting corporation is authorized to execute this agreement as agent for all corporations that participated in, or were required to participate in, such filing for any component of the corporate excise reported or required to be reported under any section of MGL ch 63 by any such corporation whether relating to the income measure, non-income measure, or a minimum excise tax liability under the corporate excise.

A principal reporting corporation acts on behalf of all corporations that participated in, or were required to participate in, a filing under MGL ch 63, § 32B, as stated in the preceding paragraph. Consequently, in the case of such a filing by a principal reporting corporation, the references in this agreement to "taxpayer(s)" shall include all such corporations.

**Filing the Power of Attorney.** You must file the original, a photocopy or facsimile transmission (fax) of the POA with each DOR office in which your representative is to represent you. You do not have to file another copy with other DOR offices or counsel who later have the matter under consideration unless you are specifically asked to provide an additional copy.

**Revoking a Power of Attorney.** If you previously filed a POA and you want to revoke it, you may use Form M-2848 to change your representatives or alter the powers granted to them. File the form with the office of DOR in which you filed the earlier power. The new POA will revoke the earlier one for the same matters and tax periods unless you specifically state otherwise.

If you want to revoke a POA without executing a new one, send a signed statement to each office of DOR in which you filed the earlier POA you are now revoking. List in this statement the name and address of each representative whose authority is being revoked.

## How to Complete Form M-2848

### Part 1. Power of Attorney

#### Taxpayer's name, identification number and address.

**a. For individuals.** Enter your name, social security number, address, phone number and email address in the space provided. If joint returns are involved, and you and your spouse are designating the same representative(s), also enter your spouse's name and social security number and your spouse's address (if different).

**b. For a corporation, partnership or association.** Enter the name, federal identification number and business address. If the POA for a partnership will be used in a tax matter in which the name and social security number of each partner have not previously been sent to DOR, list the name and social security number of each partner in the available space at the end of the form or on an attached sheet.

**c. For a principal reporting corporation.** Enter the name, federal identification number and business address of the principal reporting corporation.

**d. For a trust.** Enter the name, title and address of the fiduciary, and the name and federal identification number of the trust.

**e. For an estate.** Enter the name, title and address of the decedent's personal representative, and the name and identification number of the estate. The identification number for an estate is the decedent's social security number and include the federal identification number if the estate has one.

**Appointee(s), tax types, years or filing periods.** Enter the name, firm, address, email and phone number of the individual(s) you appoint. Your representative must be a person who may be a part of an organization, firm, or partnership.

In the columns provided, clearly identify the tax type(s) and the year(s) or filing period(s) for which the power is granted. You may list any number of years or filing periods and tax type(s) on the same POA. If the matter relates to estate tax, enter the date of the taxpayer's death instead of the year or period.

If the POA will be used in connection with a penalty that is not related to a particular tax type, such as personal income or corporate, enter the section of the General Laws which authorizes the penalty in the "tax type(s)" column.

**Powers granted by Form M-2848.** Your signature on Form M-2848 authorizes the individual(s) you designate, or their whole firm if you fill in the oval, (your representative or "attorney-in-fact") generally to perform any act you can perform. This includes executing waivers and offers of waivers of restrictions on assessment or collections of deficiencies; waivers of notice of disallowance of a claim for credit or refund; and executing consents extending the legally allowed period for assessment or collection of taxes. The authority does not include the power to receive refund checks.

To disallow your representative to be able to perform any of these or other specific acts, or to allow your representative the power to delegate authority or substitute another representative beyond the individual(s) or firm you listed, insert specific language in the blank space provided.

**Where you want copies to be sent.** You may also have copies of all notices and all other written communications sent to your representative. Check box 1 if you want copies of all notices or all communications sent to the first appointee named at the top of the form. Check box 2 if you want copies sent to one of your other appointees, and list name.

**Signature of taxpayer(s).** For individuals: If a joint return is involved and both spouses will be represented by the same individual(s), both must sign the POA unless one authorizes the other (in writing) to sign for both. In that case, attach a copy of the authorization. However, if the spouses are to be represented by different individuals, each may execute a POA.

**For a partnership:** All partners must sign unless one partner is authorized to act in the name of the partnership. A partner is authorized to act in the name of the partnership if under state law the partner has authority to bind the partnership.

**For a corporation or association:** An officer having authority to bind the entity must sign.

**For a principal reporting corporation:** An officer having authority to bind the principal reporting corporation of a combined group.

If you are signing the POA for a taxpayer who is not an individual, such as a corporation or trust, type or print your name on the line below the signature line at the bottom of the form.

### Important Note Regarding Electronic Signatures and Filing

If either the taxpayer (in Part 1) or the representative (in Part 2) is typing their full name on this form as their signature, then they should save the completed form as a pdf on their computer and submit the pdf to DOR to POADOR@dor.state.ma.us, where the taxpayer or representative (or each separately) states the following:

"The attached Power-of-Attorney form, designating \_\_\_\_\_ to be the taxpayer's representative, includes the (choose applicable term) **taxpayer's** or **representative's** typed name that they intend to serve as their valid signature, and intends to transmit on this form to the Massachusetts DOR."

### Part 2. Declaration of Representative

Your representative must complete Part 2.

1. They must declare their capacity as one of the following: an attorney, a CPA or public accountant, an Enrolled Agent, an officer or full-time employee of the taxpayer, immediate family of taxpayer, a fiduciary, or other (with a statement describing relationship).

2. For an attorney, CPA or public accountant, your representative must enter in the "jurisdiction" column the name of the state or U.S. possession or territory where they are licensed. For an Enrolled Agent, enter the enrollment card number.

3. The signature and printed name of the representative and the date signed.

