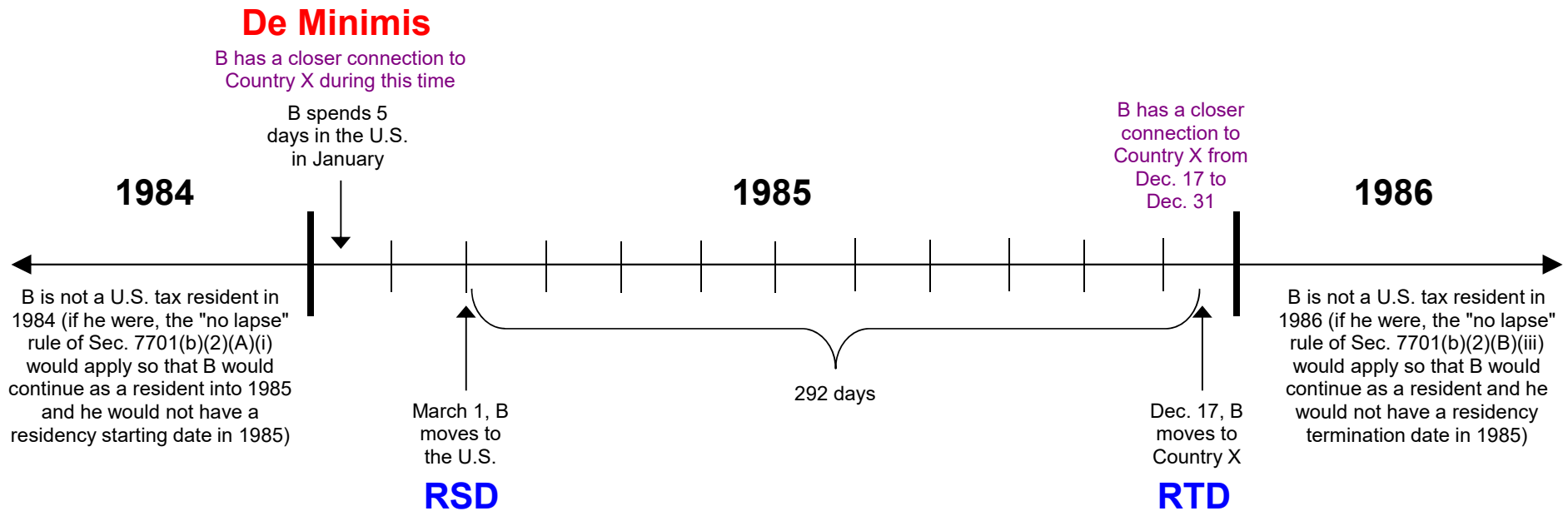


**Reg. 301.7701(b)-4(d),  
Example 2**

**Residency Starting Date &  
Residency Termination Date  
(De Minimis on Front End Only)**

Copyright © 2019 Andrew Mitchel LLC  
International Tax Services  
www.andrewmitchel.com



B, a citizen of foreign country X, is an alien who has never before been a United States resident for tax purposes. B comes to the United States on January 6, 1985, to attend a business meeting and returns to country X on January 10, 1985. B is able to establish a closer connection to country X for the period January 6-10. On March 1, 1985, B moves to the United States and resides here until December 17, 1985, when he returns to country X. B is not a United States resident for tax purposes during the following year and can establish a closer connection to country X for the remainder of calendar year 1985. B is a resident of the United States under the substantial presence test because B is present in the United States for 297 days (5 days in January plus 292 days for the period March 1-December 17). B's residency starting date is March 1, 1985, and his residency termination date is December 17, 1985.

B must attach a statement to his tax return to establish that the period of de minimis presence of ten or fewer days should be disregarded for purposes of B's residency starting date, and to establish the [early] residency termination date. See Reg. 301.7701(b)-8(a)(3), (b)(3). See also IRS Publication 519.