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Will The IRS Get A Piece Of Derek Jeter History?

With the baseball world atwitter over Derek Jeter's 3,000th major league hit, tax lawyers and accountants are doing their own tabulating in ways reminiscent of their tax fixation with Barry Bonds. Remember Bonds? For a refresher, see [More on Tax Consequences to Fan Catching Barry Bonds' 756th Home Run](#).

Then there was [A-Rod](#), but this story is even better. And as this [thorough expose](#) shows, the value of a ball or what's traded for it is hardly negligible. The figures have been flying about how much the ball was worth that Yankees fan Christian Lopez decided to give back to Jeter.

[The New York Times](#) quotes indefatigable tax professor Paul Caron of the University of Cincinnati Law School for the unhappy proposition that Lopez should report all the goodies he collected. Caron runs [TaxProf Blog](#), which has practically a cult following in the tax world (including me). And Caron is no stranger to baseball (and other) tax topics, having posted lots on this subject over the past few years. If it's about tax, Caron's TaxProf Blog covers it more completely than anyone else.

[The Times](#) says there's probably tax due, which doubtless strikes many as madness. Was it income when [he caught it](#), worth half a million or more? Did he trigger income when he gave it to Jeter and got goodies in return? Swaps are usually taxable, says the IRS. See [Do You Barter? The IRS Wants Its Cut](#). Lopez came away with season tickets, bats, balls, jerseys, and more.

Professional athletes and coaches in the past have been hit with [tax bills on the complimentary tickets](#) they gave family and friends. Even if Mr. Lopez isn't taxable on the paraphernalia he received, he could trigger taxes if he sells it.

Some say anything Jeter gave him could be a tax free gift if it doesn't exceed the \$13,000 annual gift tax exclusion amount. Still, gear provided by the Yankees (a corporation) wouldn't seem to qualify. The ["it's a gift" idea](#) is tempting. After all, this sort of thing just shouldn't be taxed (if you ask me).

There is **lots and lots** of tax learning on these subjects, and few definitive answers, except perhaps that tax people have too much time on their hands.

For more, see:

[Accessions to Wealth, Realization of Gross Income, and Dominion and Control: Applying the "Claim of Right Doctrine" to Found Objects, Including Record-Setting Baseballs](#)

[The "Who Owns the Baseball" Issue Just Will Not Go Away](#)

[Taxing Baseballs and Other Found Property](#)

[Ball Busters: How the IRS Should Tax Record-Setting Baseballs and Other Found Property Under the Treasure Trove Regulation](#)

[The Taxation of Record-Setting Baseballs](#)

[The Tax Consequences of Catching Home Run Baseballs](#)

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