

ELDERLY OR DISABLED TAX CREDIT

- ❑ This credit is available to individuals who are either age 65 or older or are under age 65 and retired on permanent and total disability. Generally, you must be a United States citizen or resident to take the credit. You must also have adjusted gross income and nontaxable social security or other nontaxable pensions that are less than the amounts shown in the instructions for Schedule R of Form 1040 (PDF), Schedule 3 of Form 1040A, or in IRS Publication 524, *Credit for the Elderly or the Disabled*.

- ❑ To claim the credit if you are under age 65 and retired on permanent and total disability, you must receive taxable disability income and not yet have reached the age when your employer's retirement program would have required you to retire. Taxable disability income is defined as "wages or payments in lieu of wages for the period during which the individual is absent from work on account of permanent and total disability."

- ❑ You cannot take the credit if you file Form 1040EZ.

- ❑ Generally, if you are married at the end of the year, you and your spouse must file a joint return to claim this credit. However, you may be able to claim the credit on a separate return if you and your spouse lived apart for the entire year. If your filing status is head of household, you may be able to claim the credit even if your spouse lived with you during the first 6 months of the year.



LEGAL AID SOCIETY OF ORANGE COUNTY COMMUNITY LEGAL SERVICES

Low Income Taxpayer Clinic

(800) 834-5001 or (714) 571-5200

Mondays – Thursday 9 a.m. – 8 p.m.

Fridays 9 a.m. – 4 p.m.