

Qualifying For Head Of Household Status

By Tom Norton, CPA, CDFA

If your divorce is final on or before December 31, then you are considered not married for the entire year. So when you file your tax return, your "filing status" will either be Single or Head Of Household.

If you qualify for Head Of Household, you will get more favorable tax rates than if you have to file Single, and thus you will pay less in taxes. So how do you qualify for Head Of Household?

First, you must maintain a home for a "qualifying child" for more than half the year. A qualifying child is generally going to be one of your children, whether by birth or adoption, and also includes step children and foster children .

The home must be the child's "principal residence," and you must pay more than half the costs of maintaining the home. Note that you don't necessarily have to pay more than half the costs of supporting the child, just of maintaining the home. So if your ex-spouse pays child support that amounts to more than half the costs of supporting the child, you can still qualify as Head Of Household. And you don't have to be able to claim the child as a dependent on your tax return to qualify, either.

But you must pay more than half the cost of maintaining the home. So if you and your kids live with your parents, and your parents maintain the home, then you don't qualify.

Planning and negotiating your settlement to qualify as Head Of Household can save you thousands of dollars in taxes over the next few years.

For more information:

[Tax Rates And Dollar Limitations](#)
[The Divorce Financial Survival Series](#)