

CHIEF INVESTMENT OFFICE

## Educational Series

# Tax-Loss Harvesting and Personal Indexing: An Effective Portfolio Strategy During Volatile Market Environments

March 2024

The investment backdrop for 2024 is supported by a resilient economic growth, moderating inflation, and easing financial conditions. Amid a tight labor market, wages are rising while consumer fundamentals and balance sheets remain intact. The U.S. consumer has benefited in prior years from terming out their debt, as well as ongoing strength in both equity values and home prices, which are creating record household net worth. Similarly, business balance sheets are also healthy as CEOs have grown confident about the outlook given the economy's resilience in 2023. Central banks, led by the Federal Reserve (Fed), are gradually and judiciously expected to loosen policy over the balance of this year. The Conference Board Leading Economic Indicator is showing signs of stabilization as a result of sharply broader improvement across its components over the past three months following an almost 24-month period of recession-like deterioration. Geopolitical tensions are significantly elevated and will likely be accompanied by rising defense spending, concerns over energy security and protectionism, and cyberattacks.

The wide range of outcomes for corporate earnings (consensus expectations remain hopeful for double-digit gains this year), interest rates and heightened geopolitical and election year uncertainty points to elevated market volatility in the near term. Notwithstanding those challenges, we continue to emphasize balance in portfolios while deploying a fully invested, highly diversified strategy. We continue to think that Fixed Income investors—especially those that are overweight cash or excessively short their duration targets—should look to extend duration in a prudent manner, as nominal and real rates are still at attractive levels relative to the last 20 years.

### PLANNING CONSIDERATIONS IN A VOLATILE MARKET

#### Leveraging volatility and market weakness to your advantage

Market volatility may be unpleasant, but there are some benefits.

- From a long-term investor's perspective, volatility, resulting in market drawdowns, have presented attractive investment entry points for deploying new cash or for rebalancing.
- For taxpayers considering estate planning, it can provide the opportunity to gift a greater number of shares to a family member or trusts while keeping the value of the gift constant.
- Volatility may provide opportunities for better income tax management, including realizing tax losses (capital losses), which may have an immediate tax benefit if those losses offset realized short- or long-term capital gains in the same calendar year.

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#### CIO VIEW

We believe the right portfolio positioning is to be diversified and invested. Investors have opportunities to take advantage of what a more volatile market environment brings— such as rebalancing, active tactical asset allocation decisions, sector positioning and/or active investment selection. But, volatility also brings opportunities for greater tax efficiency by harvesting tax losses which can help offset current gains or can be carried forward for use in future years.

## Tax-loss harvesting

In times of market volatility, the question often arises as to whether to harvest or defer capital losses. The psychology of whether to accelerate or defer a loss is very different from dealing with gains. Accelerating a gain means paying a tax sooner, and that may mean incurring “pain” sooner. Investors often will defer “pain” even if it means more later, in the form of a higher capital gain. On the other hand, accelerating a loss means paying less tax sooner, and that could mean gratification is sooner.

## Benefits of active and systematic tax-loss harvesting

Though psychologically unpleasant, volatility in the stock market may provide opportunities for loss harvesting and thus helps to enhance after-tax returns. Systematic tax-loss harvesting takes advantage of the market volatility throughout the year to realize accounting losses in the portfolio. During periods of heightened volatility, there is greater opportunity to systematically harvest losses. These losses may help offset taxable gains that the portfolio may have already incurred or may incur later in the year. Capital losses realized in excess of capital gains realized for the year may also offset a certain amount of investment or wage income earned during the year. Moreover, if realized losses are not used to offset gains or income in the same calendar year, they may be carried forward indefinitely for federal tax purposes (state rules could vary) and thus help mitigate taxes on future gains.

Selling some or all of the investment in stocks, funds or exchange-traded funds (ETFs) that have declined in value to harvest losses requires market-timing and could result in losing exposure to the market, at least for a period of time. By contrast, a systematic loss harvesting strategy, such as direct indexing, sometimes referred as personal/custom indexing, invests in a subset of underlying securities of a chosen index. This particular approach, which we detail further in the direct indexing section below, can systematically sell securities that have declined in value to harvest losses, while taking into account tax rules, and maintaining exposure to the market throughout.

## What are the tax rules around using tax losses?

Separate and apart from the psychological motivation for recognizing losses, a number of tax rules apply to capital losses that do not apply to capital gains. First, the deduction for capital losses, if in excess of capital gains recognized in a year, is limited to a maximum of \$3,000 per year (with any excess losses carried forward indefinitely to later years). Second, losses are sometimes disallowed where a taxpayer sells a stock or other securities and repurchases it or substantially identical securities in a short time period (i.e., the so-called “Wash Sale” rule which is described in the next section). There are no correlative rules on the capital gains side. Simply put, when analyzing whether it makes sense to recognize a loss now or later, one must consider other factors to see if the loss can be taken in the current year.

## The Wash Sale Rule

Although the Wash Sale Rule can be triggered at any time and is not limited to year-end tax loss harvesting, it often comes into play when an investor “harvests” a loss, which often occurs at year-end. The rationale behind the Wash Sale Rule is to disallow a current tax loss if an investor has not changed their economic position due to a quick sale and repurchase. If an investor sells stocks (or other securities) at a loss and reacquires “substantially identical securities” within 30 days before or after the loss is realized (total of 61 days), that is a “wash sale,” and the result is the:

- loss is disallowed currently.
- disallowed loss is added to the basis of the reacquired securities, in effect deferring the loss until the investor sells those reacquired securities.

- holding period of the “old” securities carries over to the holding period of the reacquired securities.

The result is approximately the same as if the investor had not sold/reacquired the shares. The Internal Revenue Service (IRS) states that the Wash Sale Rule is also triggered if the reacquisition is by the investor’s spouse or their controlled corporation.

With multiple investment managers and separate investment accounts, the Wash Sale Rule could be inadvertently triggered. There is no requirement that it be triggered intentionally. For example, assume fund manager “A” of your separately managed account (SMA) sells shares of “ABC” stock to harvest a loss, while fund manager “B” buys ABC stock within 30 days. That is a wash sale. The Wash Sale Rule can also apply partially. For example, if an investor sells 100 shares at a loss but reacquires only 60 shares of the same stock, the Wash Sale Rule would apply to those 60 shares. For the other 40 shares that were sold at a loss, the loss would be allowed.

Form 1099-Bs provide tax reporting information for securities, but they do not provide taxpayers everything they need for tax reporting if the taxpayer has multiple trading accounts or trades equities and equity options. Wash sales are identified on Form 1099-B based on identical positions (same CUSIP numbers) in the same account. However, Wash Sale Rules require taxpayers to calculate wash sales based on substantially identical positions (between Equities and Equity options at different exercise dates) across all their individual accounts including Individual Retirement Accounts (IRA)s—even Roth IRAs. Therefore, it is suggested that investors work with their tax advisors to evaluate wash sale situations across all their accounts and report them under the tax advisors’ guidance.

### **What should investors consider?**

We believe it is a good time to review your investment goals and the effect volatility has had on your investments and to develop an intentional plan to rebalance investments (if necessary) and take advantage of opportunities that have arisen to put money to work or to help manage estate, gift and income tax rules. The overall tax burden of changes to an investment plan can be minimized through harvesting of capital losses. Furthermore, loss harvesting may be more efficiently executed through personal/custom/direct indexing.

### **What is direct indexing?**

The objective of direct indexing is to closely track investor-selected benchmarks, while at the same time offering a variety of customization options including tax loss harvesting, environmental, social and governance screening, factor tilts and thematic investing. To track an investor-selected index, the fund manager chooses a sample of stocks that provide the similar risk and return profile of those of the index.

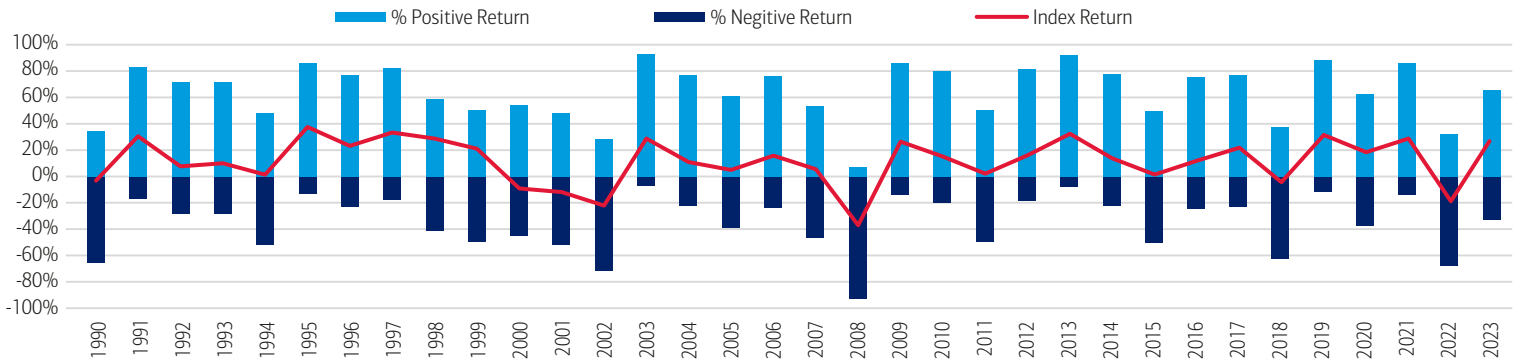
One of the most popular customization options implemented through direct indexing solutions focuses on tax savings or improvement of after-tax portfolio returns. The strategy invests in a subset of the underlying securities of an index, such as the S&P 500, then systematically sells the stocks that have declined in value to harvest losses while maintaining the risk characteristics of the portfolio similar to those of the index. As such, the portfolio seeks to track the performance of the chosen index while harvesting losses. At tax time, the losses help offset capital gains, and allow investors to keep more of their returns. By contrast, if an investor owns the S&P 500 through ETFs, the investor benefits from gains if the index rises, but receives no harvestable losses unless the entire position drops in value and the position or part of the position is sold to harvest losses.

Exhibit 1 illustrates the percentage of leaders and laggards in the S&P 500 over the past 30 years. No matter what the index annual returns are, there are stocks that end the year with a negative return each year. Additionally, a direct index strategy may capitalize on security price movements throughout the year.

#### **DIRECT INDEXING OBJECTIVE**

To closely track investor-selected benchmarks, while at the same time offering a variety of customization options including tax loss harvesting, environmental, social and governance screening, factor tilts and thematic investing.

## Exhibit 1: Winners and Losers in the S&P 500, 1990–2023.



Source: Parametric as of 2023. Past performance is no guarantee of future results. Indexes are unmanaged and do not take into account fees or expenses. It is not possible to invest directly in an index. Please see index definitions at the end of this report.

### What could be the expected after-tax performance?

For direct indexes focusing on delivering favorable after-tax performance while minimizing tracking error, we generally expect after-tax alpha to be between 1% and 2% annualized gross of fees. We define tax alpha as the portfolio excess after-tax return relative to a benchmark, adjusted by any excess pretax returns. This strategy is expected to shine during pronounced down periods and deliver more muted after-tax excess performance during strong up markets. After-tax alpha and minimizing tracking error are competing objectives, so the fund manager needs to make the decision about how to balance them in their portfolios. Investors also should have a clear understanding of this relationship and have a higher tracking-error tolerance if they want to emphasize after-tax performance more in their portfolio.

### How could direct indexing be used in portfolios?

We are seeing direct indexing strategies continue to grow in assets and popularity as the need for tax-loss harvesting and gain deferral persists. Investors seeking losses to offset gains from active managers or other taxable events may use these strategies as a primary investment allocation to provide both market-like exposures while adding tax efficiency to the overall investment portfolio. Customization capabilities of these strategies also appeal to investors who are seeking custom social values alignment or factor tilting. Direct indexing portfolios can also be tailored to manage concentrated or legacy holdings.

### What are some of the pros and cons of direct indexing?

Customization capabilities and tax efficiency are the key differentiating features of the direct indexing strategies. The most common benefit of direct indexing is in tax planning, where using a taxable account may create the potential for different tactics including tax-loss harvesting, gain deferral, application of gain budgets, transferring in/out specific tax lots and transitioning portfolios. A second benefit is portfolio customization, which allows restrictions and/or screens to be applied to securities, sectors, industries, countries, or a host of environmental, social and governance, religious factors. Some restrictions may help reduce overlapping risk exposure, while others may be incorporated based on values or beliefs.

The various functions of direct indexing may help an investor who is seeking to diversify a concentrated position or transition from another asset manager. The investor may donate appreciated shares to fund charitable means, or work with their direct indexing provider to create a plan to slowly exit a highly appreciated or concentrated equity position.

For a while, one of the disadvantages of direct indexing was the high investment minimum (\$100K+), especially compared to ETFs. However, with the adoption of fractional share trading, some providers are bringing down their investment minimums. Another downside to direct indexing is that the strategy tailored for loss harvesting tends to keep appreciated stocks and sell losing positions. Therefore, the stocks that remain in the portfolio, including those that were bought as replacements, tend to have a lower cost basis. As a result, liquidating these positions or switching to a non-direct index strategy might be expensive from a tax perspective. To overcome this, a direct indexing strategy may incorporate charitable gifting of appreciated positions or inheritance planning to take advantage of the step-up in basis at death. At the same time, investors can add cash to refresh the portfolio.

## Glossary

**Active management** seeks to outperform benchmarks through active investment decisions such as asset allocation and investment selection.

**Alpha** is a measure of the active return on an investment.

**CUSIP** is a nine-digit numeric or nine-character alphanumeric code that identifies a North American financial security for the purposes of facilitating clearing and settlement of trades.

**Tracking error** is the divergence between the price behavior of a position or a portfolio and the price behavior of a benchmark.

**Fractional share trading** is a portion of an equity stock that is less than one full share.

## Index Definitions

**Securities indexes assume reinvestment of all distributions and interest payments. Indexes are unmanaged and do not take into account fees or expenses. It is not possible to invest directly in an index. Indexes are all based in U.S. dollars.**

**S&P 500 Index** includes a representative sample of 500 leading companies in leading industries of the U.S. economy. Although the index focuses on the large-cap segment of the market, with approximately 75% coverage of U.S. equities, it is also an ideal proxy for the total market.

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