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FAMILY ASSET HOLDING: ANALYSIS OF THE TAX ASPECTS OF AN INDIVIDUAL VS. LEGAL ENTITY USING THE PRESUMED PROFIT FORM OF TAXATION

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Abstract: Tax planning is becoming more important every day, and one of the possibilities for carrying it out, especially in cases where real estate is included, is through a family holding company. The family holding company seeks to reduce taxes by transferring real estate to a CNPJ, and thus taxing all income within it. The aim of this study was to analyze the contribution of setting up a family holding company in order to reduce the taxes levied on rental income. In order to achieve what was proposed, descriptive research was carried out, outlined as a case study, with a qualitative approach. In this study, an analysis was made based on an individual's income tax return. Firstly, the number of properties owned by the individual was mapped, along with the amount received from each of them, totaling a monthly amount. This amount was first analyzed taking into account taxation on an annual basis, initially considering the amount of taxes paid based on the current IRPF table, and then calculated based on the taxation in force for legal entities. In addition, a simulation was carried out considering the information available to date on the tax reform to check how much would be paid if it came into force, and whether it would be feasible to adopt a holding company in this scenario. The results showed that setting up a holding company significantly helps to reduce taxation on rental income, and is one of the possibilities for reducing the payment of these taxes. Future studies could include a careful analysis based on the tax reform, analyzing the same context in a future scenario.

Keywords: Family Asset Holding, Tax Planning, Individual Income Tax Return, Rental Taxes, Tax Reform.

INTRODUCTION

Tax planning is a great ally for entrepreneurs on the road to success, helping to reduce current taxes in a lawful way, through studies aimed at that company, checking for possible benefits, analyzing the activity and checking the best form of taxation to be used in that scenario, as well as corporate analyses that should be carried out, for better organization and reduction of the tax burden. According to Eckert, Crestani and Mecca (2018), Brazil has a wide variety of fees, taxes and contributions established by legislation. For this reason, it is essential that taxpayers draw up efficient tax planning. In advance and within the limits of legality and legal principles, it is possible to organize some taxes strategically, allowing the taxpayer to reduce tax burdens.

Holding companies have been gaining ground in this context of tax planning, becoming a viable alternative in cases of business succession, reorganization and protection of assets against legal disputes, as well as planning the succession of assets during life. According to Jorge and Lobo (2021), holding companies are created as part of strategic planning and help organize corporate, tax and succession issues. They centralize the assets of people or companies, facilitating management, reducing taxes and protecting assets. They can be used to participate in other companies or manage existing businesses, both in the corporate and family spheres

The creation of holding companies to manage the assets of individuals stands out, as it is less costly than paying these taxes in the annual tax return (DIRPF), where taxation on individuals can reach 27.5%.

According to Martins (2009), the amounts received by individuals from renting out real estate are considered taxable income. Unlike capital gains, the rates applied follow the progressive table, varying between 15% and 27.5%, depending on the amount received.

These taxes are considered more onerous than those paid when a holding company is set up.

Effective corporate tax planning begins with an analysis of the organization's legal structure and should, whenever feasible, include strategies that provide greater security for managers. In addition, it is essential to ensure the protection of the partners' personal assets, minimizing the risks associated with possible business adversities and arbitrary tax actions.

Companies that invest in well-structured tax planning manage not only to comply with their legal obligations, but also to create an environment of greater trust and security for their managers, investors and partners. In an increasingly complex economic scenario, this practice is not only recommended, but essential for the survival and sustainable growth of any enterprise

According to Fabretti (2005), the main objective of tax planning is to ensure the greatest possible tax savings by reducing the tax burden to the amount strictly necessary, as provided for by law. To do this, it is essential to evaluate all the applicable legal options and identify any gaps in the legislation that allow operations to be carried out in a way that is less onerous for the taxpayer, always respecting the legal limits

The family holding company is an important part of tax planning. It is essential in estate planning, where the assets of individuals are passed on to the holding company and become the assets of legal entities, with various benefits and a reduced tax burden. Furthermore, taking into account the line of business and the operations carried out by taxpayers, the difficulties and complexities of understanding the legislation, the transition process and its application, we can see that taxpayers end up paying more tax, and in the case of rental income received from leasing real estate, this is common for individuals

Taxes on rents are high and it is necessary to analyze the scenario in which you find yourself in order to decide whether to migrate to a legal entity, identifying the best form of business incorporation.

In this context, we have the following question as a research problem: what are the tax consequences of setting up a family holding company to protect the assets that make up the family estate? Having defined the central problem, it is necessary to define the objective, which guides the research and helps to solve the problem related to rental income and asset protection.

Taxpayers are looking for solutions to alleviate issues related to taxation. It is known that tax reform is underway, which brings changes to the procedures for calculating and collecting taxes, in this sense the objective of this research is elaborated as follows: To analyze the contribution of setting up a family asset holding company with a view to reducing taxes levied on income received from rents, as well as asset protection.

This study was based on data extracted from an individual's income tax return, analyzing the taxes levied on rents within this return, and comparing them with the amount of taxes paid by a legal entity, i.e. by transforming the company from an individual to a legal entity, with emphasis on a company called a family holding company, with the presumed profit form of taxation.

A limitation of this research is also the changes brought about by the tax reform, since it is in progress, but with taxes already defined, which were dealt with in this study.

THEORETICAL FRAMEWORK

TAX PLANNING

In Brazil, it is noteworthy that the legislation provides for high taxes for all citizens, here called taxpayers, in the purchase and sale of products of the most varied forms, including real estate, vehicles, taxes on bank loans and financing, among other issues. Entrepreneurs and individuals are constantly looking for ways to reduce or even eliminate the payment of these taxes. In order to get rid of these payments in a lawful way, they look for tax avoidance. According to Pedrosa (2009), tax avoidance is a form of tax reduction that uses lawful means to prevent, reduce or delay the payment of the tax owed by the individual or legal entity, without using alternative means, but in accordance with the legislation.

Tax avoidance is an important concept within tax planning, which is the tool that helps to reduce taxes without using means such as tax evasion. According to Eckert, Crestani and Mecca (2018), "Tax planning has become indispensable for people and organizations in the current scenario, as it enables the use of legal and possible alternatives that result in a reduction in the tax burden". Tax planning is presented as a tool that aims to reduce taxes through a prior study of the company, according to each activity carried out by the company or the individual, taking into account the risks, the applicable legislation, among other important aspects for the definition of planning with the purpose of reducing taxes for taxpayers.

According to Godoi and Ferraz (2012), tax planning is an activity in which taxpayers try to organize their economic and business activities so that they incur the lowest possible amount of taxes without breaking the law. In Brazil, the legal way of achieving this tax reduction is called tax avoidance. In view of these concepts, it can be seen that tax planning is

a way of organizing activities by finding tax benefits made available by the legislation itself, which offers advantages in paying taxes and also avoids committing tax crimes.

In order to understand the procedures that can be adopted, tax planning can be drawn up partially, analyzing the branch of activity, corporate issues and other aspects related to taxpayers. This research looks in detail at the possibility of tax savings when setting up a family holding company; it then presents some forms of taxation that can be adopted by taxpayers.

Forms of taxation on legal entities

The main possible forms of taxation for legal entities are: Simples Nacional, Lucro Real, Lucro Presumido and Lucro Arbitrado.

Simples Nacional is a simplified tax system, which is paid in a unified way, in a single form. As described in art. 12 of Complementary Law 123 of 2006, its name is short for "Special Unified Regime for the Collection of Taxes and Contributions owed by Micro and Small Companies". The main and initial objective is to reduce taxes for smaller companies. In fact, it is considered a tax benefit that should be analyzed by managers when using this form of taxation.

According to Pêgas (2022), "the simplified regime is intended to seek a more competitive environment between large and small companies". This is generally a regime applied to small companies, or companies that have a smaller turnover, where it ends up being more advantageous. In addition, this regime brings the issue of payroll, which becomes less onerous for entrepreneurs who use this form of taxation, because the payment of the employer's INSS is included in the tax calculation in a unified way.

It should be noted that to calculate the taxes in Simples Nacional, the corresponding annexes must be used for each branch of activity, industry, commerce and the provision of services, which are provided for in the legislation.

Companies opting for Simples Nacional are exempt from the obligation to submit some ancillary obligations, which is a differentiated tax treatment for this form of taxation and other advantages that apply to each branch of activity and specific taxpayers.

Real Profit, on the other hand, is calculated using the Real Profit Calculation Book (Lalur), which is a bookkeeping book of an eminently fiscal nature, created by Decree-Law No. 1,598, of 1977, in accordance with the provisions of § 2 of art. 177 of Law No. 6,404, of 1976, as amended, intended for the calculation of the real profit subject to income tax in each calculation period, also containing elements that may affect the results of future periods.

According to Article 6 of Law 1598/77, real profit is the net profit for the year adjusted by the additions, exclusions or compensations prescribed or authorized by tax legislation. Companies that opt for real profit can choose to calculate tax amounts on a monthly (estimated), quarterly or annual basis. With these options, each organization has greater freedom to organize its tax planning according to the needs related to its line of business.

Presumed Profit, as described by Jorge and Lobo (2021), is defined as a simpler method compared to Real Profit. In it, a profit range is presumed with presumption percentages defined by legislation, according to the company's line of business, in order to calculate taxes on the profit of companies that opt for this form of tax calculation. All companies can opt for it, as long as they are not obliged to make a real profit.

According to Eckert, Crestani and Mecca (2018), it is a presumption, as the name implies, which the tax authorities use to presume the profit made by a company, based on the amount calculated, the Corporate Income Tax (IRPJ) and Social Contribution on Net Income (CSLL) are calculated and the amount of tax is due quarterly.

For Melo and Junior (2024), "in this regime, the income tax rate on presumed profit is 15%, which means that if the activity is subject to a presumption of 32% profit on gross revenue, the effective tax cost would be 4.80%". With regard to the social contribution on net profit (CSLL), Jorge and Lobo (2021) show that the CSLL has a similar base to the IRPJ, where the presumption is calculated according to the defined activity and the effective amount payable of 9% is calculated on this previously calculated base.

It should be noted that taxpayers must analyze all the operations that companies carry out and identify all the taxes that fall under each form of taxation, as established by law, and choose the tax regime that provides a reduction in the tax burden.

In this context, the legislation on Arbitrated Profit was not presented because it involves a high tax burden for this form of taxation.

Personal income taxation

The tax levied directly on the income of individuals is the IRPF (Individual Income Tax). According to Genta (2021, p.53), income tax is a tax on the earnings of both individuals and companies, and its value is calculated on their income, based on a progressive rate table.

With specific reference to income tax on individuals, Santana, Cruz and Silva (218) point out that the annual declaration proving income is called the Annual Adjustment Declaration (DIRPF) and add that this declaration is required of everyone who has income compatible with the minimum amount determined by the government, on net income from any source. According to the IRPF table provided by Law No. 14,848 of May 1, 2024, the rates in the monthly progressive table vary from 7.5% to 27.5% (Brasil, 2024).

According to Flausino and Isack (2024), the main purpose of filing the Income Tax Return is to adjust the income earned during the

previous Calendar Year, according to the Progressive Table in force. In addition, the declaration makes it possible to monitor the evolution of the taxpayer's assets year after year

With regard to the taxation of rents received by individuals, according to Martins (2009), the taxation of rents for individuals becomes onerous in comparison with income from other forms of investment, making it necessary to find other means of receiving this income. Generally speaking, taxation on individuals ends up being onerous, especially in the real estate sector, where taxpayers look for alternatives to make their operations viable.

HOLDINGS IN THE BUSINESS SECTOR

Within tax planning, holding companies can be important allies in reducing taxes legally. According to Eckert, Crestani and Mecca (2018), the creation of holding companies has increasingly become a popular strategy for protecting assets. Many entrepreneurs and individuals, especially those who own a significant amount of movable and immovable property, are looking to this model as a way of ensuring security and legal backing for their assets.

Another important benefit of holding companies is that, in addition to shielding assets, they can also be used to pass on assets to heirs while they are still alive, generating significant tax savings in the process, as well as saving disagreements between family members and heirs.

According to Lodi and Lodi (2012), holding companies began more than 20 years ago, when they were created under the influence of financial entities to make a special line of credit viable. In addition, in most cases, holding companies were set up with the aim of saving tax, and now, with the changes in legislation, taxpayers are familiar with the idea of regularizing their operations within the law, protecting assets without omission and avoiding causing problems for heirs

According to Jorge and Lobo (2021), holding companies have emerged as a strategic tool that directly influences the corporate, tax and succession planning of those who set them up. It should be noted that the assets of individuals or companies become part of the holding company structure, with the aim of facilitating the management of the company and making the payment of taxes more efficient. These companies are created for various purposes, such as participating in other organizations or managing existing businesses. They often serve to organize the corporate structure, optimize tax management and protect assets, and are widely used in both business and family contexts.

Setting up a holding company to protect assets

The taxation of rents for individuals is costly for the owners of these properties, especially in cases where these properties are rented out to third parties. One solution to reduce these taxes is to transfer these assets to a family holding company, in order to open a CNPJ and thus pay reduced taxes. According to Longo (2017), for those who want to organize and protect their assets, it can be seen that for some assets, such as real estate, the solution is to transfer these assets to a holding company, in order to obtain asset protection and tax savings in the case of leasing these assets.

According to Roriz (2017), setting up a holding company is simple: the constitution is just like that of an ordinary company, with the constitution of the articles of association and their registration with the Board of Trade, the opening of a CNPJ, applications to the State and Federal Revenue Service, the municipal tax authorities and other constitutive acts of a company. It differs only in one respect: for the Holding Company, it is more advantageous to pay in the share capital through the transfer of assets, in which case there is no traditional cash payment, because the real estate is transferred to the company's assets.

It should be noted that the way in which the activity is described in the holding company alters the taxation of rental income. If they include the rental of real estate in their articles of association, they will be subject to 32% income tax on rental income, regardless of whether they opt for real or presumed profit. If they don't add this activity, the revenue will be taxed in full. Eckert, Crestani and Mecca, (2018)

According to Lodi and Lodi (2012), when it comes to setting up a holding company and its taxation, the best option is to set it up as a limited company (Ltda) and the most common is for the holding company to be taxed under the real or presumed profit regime, depending on its operations and expenses incurred. Among the two most commonly used tax regimes is Presumed Profit, which is justified because it does not have operations that are recorded in the accounts as costs or expenses.

For Melo and Junior (2024), the most advantageous option for family holding companies, specifically those that manage real estate properties, i.e. what are known as equity family holding companies, to opt for Presumed Profit. This option can offer benefits compared to individual taxation, which can amount to around 27.5% tax.

During this transfer of assets and establishment of the holding company, some taxes and fees are levied for legal formalization. According to Melo and Junior (2024), Income Tax (IR) and Real Estate Transfer Tax (ITBI) are levied. He also mentions that in the case of the transfer of assets between individuals, the Death and Donation Transfer Tax (ITCMD) is levied and, if Succession Planning is applied, PIS, COFINS and CSLL are also levied.

In this context, it is necessary to carry out a study on the form of incorporation of the legal entity, analyzing all the possibilities provided for by law. It should be noted that there is a process of change in current legislation, through tax reform, which has tax repercussions in various segments and branches of activity.

ASPECTS OF TAX REFORM

The tax reform includes the introduction of the IBS, which replaces the current ISS and ICMS, and the CBS, which replaces federal taxes. The maximum rate for the sum of the two is around 26.5%. The limitation that the sum of the rates of the Tax on Goods and Services (IBS) and the Contribution on Goods and Services (CBS) cannot exceed 26.5% is laid down in the text of the Brazilian tax reform. This restriction was established as part of the guidelines approved by the Chamber of Deputies in July 2024, with the aim of keeping the tax burden unchanged and ensuring a balance in tax collection.

Complementary Bill (PLP) 68/2024, which regulates tax reform, stipulates that if the average IBS and CBS rate exceeds the 26.5% limit, an assessment will be carried out every five years, based on data available from the calendar year 2030 onwards. This analysis could lead the Executive Branch to present a supplementary bill with proposals to reduce the 30% and 60% tax benefits granted to certain sectors, if it is identified that the average rate has exceeded the stipulated level.

The Brazilian tax reform presents important changes to the way rents are taxed. To this end, laws and projects that deal directly with the real estate sector have been created or adjusted, such as Complementary Law No. 214/2025, Complementary Bill No. 68/2024 and Constitutional Amendment No. 132/2023.

It all started with Constitutional Amendment 132/2023, which served as the starting point for the reform. This amendment established the creation of new taxes, such as the Tax on Goods and Services (IBS) and the Social Contribution on Goods and Services (CBS). Although it did not directly address rents, it paved the way for more specific legislation later on

Complementary Bill No. 68/2024 brought significant changes to the real estate sector by reducing tax rates on rents by 50% and granting a 70% discount on the basis for calculating the taxes levied on the revenue generated by these contracts. To regulate these changes and guarantee their practical application, Complementary Law 214/2025 was passed, which defined in detail the rules for tax reductions and exemptions in different sectors of the economy, with special attention to the real estate market. Among the main new features are lower rates for rents and clearer tax rules, making it easier for taxpayers to understand and adapt.

According to the Chamber of Deputies, the tax reform establishes a 70% reduction in the IBS and CBS calculation base on rental income, which results in an effective tax burden of up to 7.95% (BRASIL, 2024). A benefit has also been provided for individuals. The Complementary Bill (PLP) 68/2024 establishes that individuals who own more than three rented properties or have an annual income of more than R\$ 288,000 will be subject to tax on rents (BRASIL, 2024).

Therefore, from 2026 onwards, the tax burden will change for landlords and tenants, which could have a number of impacts. As mentioned, the lessor, as an individual, will have to pay IRPJ, IBS, CBS and CSLL. Currently, the taxes that make up the IBS are generally exempt or not applicable, and from now on they will be. The others will remain the same, with only the rates changing.

The need to monitor the entire process of regulation and changes and implementations promoted by the tax reform, which reflects on various business activities, is noteworthy.

METHODOLOGY

In terms of objectives, this study used descriptive research. According to Tonetto, Brust-Renck and Stein (2014), descriptive research is not just about understanding the process or causes behind a problem, as is the case with exploratory research. Their aim is to provide a snapshot of reality, allowing behaviors and characteristics to be mapped out clearly and objectively. Barros and Lehfeld (1986) define descriptive research as research in which the researcher observes, records, analyzes and correlates facts or phenomena (variables) without interfering in their causes.

In terms of procedures, it is classified as a case study. According to Yin (2001), it is an empirical investigation that examines a current event in depth and detail. It defines the study as being carried out in the environment where the phenomenon occurs, i.e. in the real world, making this junction and looking at all the details, taking into account the phenomenon being used and the context in which it is inserted.

The study used a qualitative approach to analyze and present the data. According to Gil (2021), its main objective is to understand people's views, how they make sense of and see their experiences. This means that the researcher must put themselves in the place of the participants, describing the phenomenon and analyzing the results.

This study has some limitations that are worth considering. It was based on the Individual Income Tax Return (DIRPF) of a single person, which makes the results applicable only to similar situations.

It is therefore important to remember that different contexts, such as varying asset profiles or different sources of income, may require adjusted analyses and strategies. In addition, the recommendations were drawn up taking into account the legislation in force at the time of the study.

It should be noted that if there are any changes to tax laws or regulations, it may be necessary to review the proposed strategies. Another point that has not been explored in depth are the costs involved in setting up and maintaining a holding company, such as notary fees and professional fees, which may vary according to the specific conditions of each case.

In addition, it was not possible to consider the transfer taxes on these properties, such as ITBI, IRGC and ITCMD. Nor were issues that go beyond the tax sphere explored, such as succession impacts or possible challenges in terms of family governance. These limitations show the importance of carrying out complementary analyses and considering different scenarios before making decisions on tax, estate and succession planning.

PRESENTATION AND ANALYSIS OF RESULTS

CURRENT TAX SCENARIO

This topic analyzed the feasibility of transferring assets from an individual to a holding company. This analysis was carried out on the basis of an income tax return, provided by the holder, in agreement with him and in this research his identity has been preserved, and only data referring to assets, specifically real estate, and rental income were used.

The values of the properties will not be taken into account during this study, because they were acquired a long time ago and have not been updated, in order to avoid paying capital gains, and the value described in the tax return is out of line with the market value of the property. Therefore, the calculation of taxes related to the transfer of these properties to the legal entity was not taken into account.

Below are the properties, which in this research have been omitted from information on their location and other data, highlighting the amounts that are received monthly for each

property as rental income, according to the amounts described in the income tax return:

Property	Rental income
Property 1	R\$ 3.000,00
Property 2	R\$ 1.100,00
Property 3	R\$ 3.350,00
Property 4	R\$ 1.000,00
Property 5	R\$ 950,00
Total income	R\$ 9.400,00

Table 01: Rental Income
Source: Research data (2025)

The monthly rental income is R\$9,400.00, which makes up an annual income of R\$112,800.00. The first analysis was carried out on the calculation of taxes paid by the individual. For this, the progressive income tax table is considered. According to Law 14.848 of May 1, 2024, the rates range from 7.5% to 27.5%. The full table is shown below, with calculation bases, rates and amounts to be deducted.

Calculation basis (R\$)	Rate (%)	Portion to be Deducted from Income Tax (R\$)
Up to 2,259.20	0	0
From 2,259.21 to 2,826.65	7,5	169,44
From 2,826.66 to 3,751.05	15	381,44
From 3,751.06 to 4,664.68	22,5	662,77
Above 4,664.68	27,5	896,00

Table 01: Income Tax Rates
Source: Law No. 14.848 of May 1, 2024

Based on the table above, which is the current table for personal income tax, the amount of income from rents totals R\$9,400 per month, and therefore falls within the last band of the progressive table, i.e. the rate of 27.5%. For this calculation, the value of the total income was taken as the basis for calculation, multiplied by the rate of 27.5%, using the table value as a deduction, which corresponds to R\$ 896.00. Legal deductions were not taken into account for this calculation, but only the gross amount of rental income taken from the taxpayer's income tax return

For clarification: Legal deductions are dealt with by Law 9.250/95, which can deduct income such as medical consultations, laboratory and imaging tests, hospital admissions, surgeries, health plans, professional services such as dentists, physiotherapists and professionals in the medical field in general and others that will not be detailed in this research. The calculation is detailed below:

(+) Total value of income	R\$ 112.800,00
(X) Rate	27,5%
(=) Total payable before deduction	R\$ 31.020,00
(X) Part to be deducted monthly	R\$ 896,00
(-) Total annual deduction (monthly amount x 12 months)	R\$ 10.752,00
Total net payable	R\$ 20.268,00

Table 02: Calculation of Annual Income Tax for Individuals

Source: Research data (2025)

It should be noted that the total amount payable, if the individual taxpayer is taxed through the Individual Income Tax Return, would be R\$30,124.00 per year. For the sake of comparison, the amount to be paid will be calculated if the rents were received by an already established holding company, which opted for the Presumed Profit regime. To this end, PIS, COFINS, IRPJ and CSLL will be calculated.

The holding company which leases its own real estate is not subject to ISS (Tax on Services) in the municipality of Cascavel, because it is not one of the activities described in Complementary Law 01/2001, which describes the activities subject to ISS taxation within the municipality. It is also based on the decision in RE 116.121/SP (STF), which states that “the rental of real estate constitutes an obligation to give, and not to do, and is therefore not included in the scope of the Tax on Services of Any Nature - ISS”. It is also not subject to the ICMS (Tax on the Leasing of Goods and Services), as its definition classifies it as “a state

tax, regulated in Paraná by Law No. 11,580, of November 14, 1996, payable on transactions relating to the movement of goods, the provision of interstate and intercity transport and communication services”. Paraná, (1996). According to the definition, this does not include rental services for own property, which is the scope of this work

Therefore, the first taxes calculated were PIS and COFINS. In the case of this company, which was considered a holding company and opted for the Presumed Profit form of taxation, in accordance with Law No. 10.637/2002 and also Law No. 10.833/2003, which regulate COFINS and PIS. In this research, “The PIS and COFINS rates, under the cumulative regime, are 0.65% and 3% respectively” (BRASIL, 2003). The table below shows the values considered for the calculation:

Total annual turnover	R\$ 112.800,00
PIS rate	0,65%
Amount of PIS payable	R\$ 733,20
COFINS rate	3%
COFINS amount payable	R\$ 3.384,00
Total amount of PIS and COFINS payable	R\$ 4.117,20

Table 03: Pis and Cofins for Legal Entities

Source: Research data (2025)

After calculating these two taxes, the CSLL amount was calculated. To find the calculation basis, the presumption was used, according to the company’s activity. Law 9430/1996, in its article 15, establishes the presumption of profit bases for companies under the presumed profit regime. According to item I, the presumption rate for these cases will be 32%, i.e. it was established that 32% of the total value of turnover is considered to be the company’s actual profit. According to Jorge and Lobo (2021), the CSLL rate will be 9% on presumed profit. Below is a demonstration of the calculation made for the CSLL, based on the rates described above.

Annual turnover	R\$ 112.800,00
CSLL presumption rate	32%
Presumed Profit	R\$ 76.704,00
CSLL rate	9%
Amount of CSLL payable	R\$ 6.903,36

Table 04: Calculation of Social Contribution on Profit
Source: Research data (2025)

For Melo and Junior (2024), the IRPJ rate was 15% on presumed profit. However, with regard to the basis for calculating IRPJ, for this specific branch of activity, the legislation provides a benefit for calculating Presumed Profit.

According to paragraph 7 of article 33 of RFB Normative Instruction No. 1700/2017, Brazilian legislation provides for a reduction in the presumption percentage for calculating Corporate Income Tax (IRPJ) for companies that meet certain conditions. Specifically, companies exclusively providing services in general, which are not related to the exercise of legally regulated professions and have an annual gross revenue of up to R\$ 120,000.00 can use a presumption percentage of 16% when determining the IRPJ calculation basis.

However, if this income exceeds the stipulated amount of R\$ 120,000.00 during the year, you must go back to the beginning of the year and recalculate the amount to be paid with fine and interest using the 32% presumption percentage.

For this study, it was found that there is no intention of a significant increase in rental values, remaining within the range for the current year. RFB Normative Instruction No. 1700/2017 also provides for an additional 10% in the calculation of IRPJ on excess revenue above R\$20,000.00 per month, which does not apply to this case as it is R\$9,400.00 per month, and the basis for calculating revenue is shown below and the rate of 15% is applied. For IRPJ.

Annual turnover	R\$ 112.800,00
IRPJ presumption rate	16%
Presumed Profit	R\$ 18.048,00
IRPJ rate	15%
Amount of IRPJ payable	R\$ 2.707,20

Table 05: Calculation of Income Tax
Source: Research data (2025)

Considering the tax calculations made for individuals and companies, below is a consolidation of the figures obtained, and a comparison for a later decision to change the way taxpayers pay their taxes.

Amounts paid to Legal Entities	
IRPJ	R\$ 2.707,20
CSLL	R\$ 6.903,36
PIS	R\$ 733,20
COFINS	R\$ 3.384,00
TOTAL	R\$ 13.727,76
Amounts paid to individuals	
IRPF	R\$ 20.268,00

Table 06: Individual vs. Corporate Taxation
Source: Research data (2025)

THE TAX REFORM SCENARIO

The tax reform stipulates that the rate should not exceed 26.5%, so as not to exceed the current tax burden. In the case of the taxation of rental income, there is a 70% reduction in the calculation base, which was provided for in order to reduce the impact of the new taxes in force on this income, which were not applied before. Considering this reduction, there would be a total tax rate of 7.95% on this amount received. Considering this rate, a projection, if the scenario remains as it is, would be for an amount as shown below:

Annual rental income	R\$ 112.800,00
Maximum rate assumed after the reform	26,5%
Reduction in the tax rate for rents	70%
Effective rate	7,95%
Rent payable	R\$ 8.967,60

Table 07: Calculation of Taxes provided for by
the Tax Reform

Source: Research data (2025)

We presented the taxation for a taxpayer who receives rental income calculated and collected by the Individual with the purpose of reducing taxes considering the current scenario and performing the calculations by the Presumed Profit form of calculation in the legal entity with branch of activity Patrimonial Family Holding and after the implementation and validity of the tax reform still remaining in the constitution of the business holding.

CONCLUSION

The aim of the research was to analyze the contribution of setting up a family holding company in order to reduce the taxes levied on the income paid on rents. In order to fulfill this objective, the analysis and calculations were made based on the progressive income tax table, taking as a basis the individual's income tax return for the year 2023, which was declared and submitted at the beginning of 2024. The company fell within the last rate of the progressive tax table, and its calculation was based on the rate of 27.5%. This resulted in a total tax payment of R\$20,268.00 for the annual tax return.

Paying tax on an individual's tax return can be costly. Often, paying taxes as a legal entity ends up being more advantageous, with a significant reduction in values and generating great savings for the owner of the property. For this reduction, it is suggested that these properties be transferred to a family holding company, in order to calculate and pay all taxes with the operations and income carried out by a legal entity, and no longer as an individual

This type of holding company is first set up with an assessment of the assets and the tax impacts on them, the choice of the type of company, where it is generally recommended to set up a Limited Company (LTDA), defining the form of capital payment, which is generally made by transferring the shareholders' assets directly to the holding company and not as in conventional companies, where the payment is made in monetary values, in a bank account or in cash.

After this, the company is set up, normally with registration with the Board of Trade, as in conventional companies, and the rental income can now be received directly by the holding company, and taxed according to the rules in force. For this study, the Presumed Profit form of taxation was considered because it is more advantageous in this scenario, where no expenses are deducted, and therefore the scenarios of the other available forms of taxation were not considered and calculated.

As a result, the holding company paid a total annual tax bill of R\$13,727.76, taking into account the current PIS, COFINS, IRPJ and CSLL taxes. Compared to the payment of R\$ 20,268.00 made by the individual, this resulted in an annual reduction of R\$ 6,540.24, due to the Presumed Profit form of taxation.

It should be noted that taxpayers must plan and protect their assets using the tools available, such as tax and succession planning, which are extremely important, and in this case of rents, combined with the creation of a family holding company, it is a satisfactory and advantageous alternative. Considering this and the other advantages mentioned throughout the text, we present one of the alternatives that would be viable for reducing the tax burden paid by taxpayers

It should be noted that the tax reform is being processed and approved and will come into force in 2026, gradually until the final adjustment in 2030. As it will be applied and re-evaluated on an annual basis until it is fully

in force, we still don't have anything really concrete in terms of rates, only that the tax rates that will be in force, which are the IBS and CBS, will be up to an approximate rate of 26%.

Even considering this rate, with the reduction imposed on rents, the amounts will be lower than those paid in personal income tax, as in this case they will not fall within the reductions imposed on individuals.

For future studies, it is important to consider calculating and analyzing these results taking into account the concrete data from the tax reform, with the same focus on reducing taxes, in order to re-evaluate the new current scenario.

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