

Special Condition Code for Tax Year 2019

The New York City Department of Finance (DOF) recognizes that taxpayers and return preparers affected by the COVID-19 outbreak may be unable to meet certain New York City filing and payment deadlines. Therefore, the DOF is waiving penalties for DOF-administered business and excise taxes due between March 16, 2020, and April 25, 2020. If you have been affected by this outbreak and could not file this return (or extension request) on a timely basis, and are requesting that the late filing, late payment or underpayment penalties be waived, enter CV in the two boxes for the Special Condition Code on the top of the form. Please note that while late filing and late payment penalties are waived, interest, where applicable, at the appropriate underpayment rate, must be paid on all tax payments received after the original due date calculated from the original due date to the date of payment. See Finance Memorandum 20-2, Business Tax Filing Extensions and the COVID-19 Outbreak, March 19, 2020.

GENERAL INFORMATION

Upon request, the Commissioner of Finance may grant an additional three-month extension of time to file a return when good cause exists.

A corporation with a valid six-month automatic extension is limited to two additional extensions.

A separate request on Form NYC-EXT.1 will be required for each additional three-month extension.

REQUIREMENTS

The requirements for granting an additional three-month extension of time, in addition to good cause, are:

1. This application must be filed before the expiration of the previous extension.
2. A valid application for an automatic extension must have been filed on Form NYC-EXT (Application for Automatic Extension).

The requirements for a valid automatic extension are:

- The application (NYC-EXT), along with any estimated tax due, must be filed on or before the due date of the return for the taxable period for which the extension is requested.
- The total tax paid on or before the date such application is filed must be either:
 - a) not less than the tax shown on the return for the preceding taxable year if that year consisted of 12 months;
 - or -
 - b) not less than 90% of the tax for the year for which an extension is requested as finally determined.

NOTE: for this purpose, the tax as finally determined includes a final determination of the tax due for the taxable period after an audit, the filing of an amended return or some other adjustment or correction.

If you do not meet these requirements, your original extension and any additional extension will not be valid and you may have to pay interest and penalties from the original due date of your return.

COMBINED RETURN GROUPS

A combined group must file a single application form for an additional extension. Use the Employer Identification Number of the reporting corporation (the group member paying the combined tax) when completing page 1.

In the case of a combined group subject to the Business Corporation Tax, the reporting corporation is the designated agent of the group, as defined in Administrative Code §11-654.3(7).

Caution

An additional extension of time to file your federal tax return or New York State Franchise Tax return does not extend the filing date of your New York City tax return.

SIGNATURE

This report must be signed by an officer authorized to certify that the statements contained herein are true. If the taxpayer is a publicly-traded partnership or another unincorporated entity taxed as a corporation, this return must be signed by a person duly authorized to act on behalf of the taxpayer.