

**UNINCORPORATED BUSINESS TAX REPORT OF CHANGE
IN TAXABLE INCOME MADE BY INTERNAL REVENUE
SERVICE AND/OR NEW YORK STATE DEPARTMENT OF
TAXATION AND FINANCE**

TO BE FILED WITHIN 90 DAYS AFTER A FINAL DETERMINATION

● For Calendar Year 19____ or Fiscal Year beginning _____, 19____ and ending _____, 19____

Print or Type ▼

Name _____
 Address (number and street) _____
 City and State _____ Zip Code _____
 Telephone Number _____

SOCIAL SECURITY NUMBER
 [][][] - [][] - [][][][][]
 EMPLOYER IDENTIFICATION NUMBER
 [][] - [][][][][][][][]

A. If this form is filed by a member of a partnership to report a federal or New York State change affecting his/her share, give name and Employer Identification Number of partnership.

Name of member → _____ EIN → [][] - [][][][][][][]

B. Enter date of Final Determination: (✓) ● federal ● [][][][] ● New York State ● [][][][]

A. **Payment** Pay amount shown on line 14 - Make check payable to: NYC Department of Finance Payment Enclosed

Calculation Of Unincorporated Business Tax	COLUMN A		COLUMN B		COLUMN C	
	As Originally Reported		Net Change From Page 2, Schedule A		Correct Amount	
1. Total income from business (from NYC-202 or NYC-204, Schedule A)	1.					●
2. Taxable business income (from NYC-202 or NYC-204, Schedule A)	2.					●
3. Tax (from NYC-202 or NYC-204, Schedule A)	3.					●
4. Sales tax addback (from NYC-202 or NYC-204, Schedule A)	4.					●
5. Total tax (from NYC-202 or NYC-204, Schedule A)	5.					●
6. Business tax credit (from NYC-202 or NYC-204, Schedule A)	6.					●
7. Unincorporated business tax (from NYC-202 or NYC-204, Schedule A)	7.					●
8a. Other credits (from NYC-202 or NYC-204, Schedule A)	8a.					●
8b. Energy cost savings credit (from NYC-202 or NYC-204, Schedule A)	8b.					●
9. Net tax (line 7 less lines 8a and 8b)	9.					●

Summary		COLUMN D		COLUMN E	
		Additional Tax Due		Refund Due	
10. If amount in column C, line 9 is greater than amount in column A, enter difference in column D (see instructions for treatment of prior NYC adjustments)	● 10.				
11. If amount in column C, line 9 is less than amount in column A, enter difference in column E (see instructions for treatment of prior NYC adjustments)	● 11.				
12. Interest (see instructions)	● 12.				
13. Additional charges (see instructions)	● 13.				
14. Total amount due (add lines 10, 12 and 13)	● 14.				
15. Refund due (enter amount from line 11 above)	● 15.				

CERTIFICATION

I hereby certify that this report, including any accompanying rider, is, to the best of my knowledge and belief, true, correct and complete.

TAXPAYER'S SIGNATURE → _____
 If joint return was filed, both husband and wife must sign _____ Spouse _____ Date _____
 PREPARER'S USE ONLY → _____
 Signature of preparer other than taxpayer _____ Address _____ EIN or SSN _____ Date _____

SCHEDULE A Explanation of Federal and/or New York State Adjustments (if additional space is needed, attach schedule)

	COLUMN F Unincorporated Business Tax	
1. Items increasing profit (or loss) from business or profession (federal Schedule C) or partnership income (federal Form 1065) (see instructions) ▼		
2. Total increases		
3. Items decreasing profit (or loss) from business or profession (federal Schedule C) or partnership income (federal Form 1065) (see instructions) ▼		
4. Total decreases		
5. Net (federal/New York State) adjustments (combine lines 2 and 4) ▶		

NEW YORK CITY CHANGES AFFECTING (Federal/New York State) ADJUSTMENTS LISTED ABOVE

6. Additions (see instructions) ▼		
7. Total additions		
8. Subtractions (see instructions) ▼		
9. Total subtractions		
10. Net New York City changes (combine lines 7 and 9)		
11. Net reportable changes (transfer amount to page 1, column B, line 1) ▶		

SCHEDULE B Computation of Business Tax Credit - page 1, line 6, column C (check one)

Business Tax Credit Prior to 1987

1. If the tax on page 1, line 5, column C is \$100 or less, your credit on line 6 is the entire amount of tax on page 1, line 5, column C
2. If the tax on page 1, line 5, column C is \$200 or over, no credit is allowed. Enter "NONE" on page 1, line 6, column C
3. If the tax on page 1, line 5, column C is over \$100 but less than \$200, your credit is \$200 less the amount of tax on page 1, line 5 as follows:

$$\text{\$200 less } \frac{\text{tax on page 1, line 5, col. C}}{\text{(tax on page 1, line 5, col. C)}} = \text{ (your credit)}$$

Business Tax Credit for 1987 through 1995

1. If the tax on page 1, line 5, column C is \$600 or less, your credit on line 6 is the entire amount of tax on page 1, line 5, column C
2. If the tax on page 1, line 5, column C is \$800 or over, no credit is allowed. Enter "NONE" on page 1, line 6, column C
3. If the tax on page 1, line 5, column C is over \$600 but less than \$800, your credit is computed by the following formula:

$$\text{tax on page 1, line 5, column C} \times \left(\frac{\text{\$800 minus tax on page 1, line 5, column C}}{\text{\$200}} \right) = \text{ (your credit)}$$

Business Tax Credit for 1996 and Later

1. If the tax on page 1, line 5, Column C is \$800 or less, your credit on line 6 is the entire amount of tax on page 1, line 5, Column C.
2. If the tax on page 1, line 5, Column C is \$1,000 or over, no credit is allowed. Enter "NONE" on page 1, line 6, Column C.
3. If the tax on page 1, line 5, Column C is over \$800 but less than \$1,000, your credit is computed by the following formula:

$$\text{tax on page 1, line 19, column C} \times \left(\frac{\text{\$1,000 minus tax on page 1, line 19, column C}}{\text{\$200}} \right) = \text{ (your credit)}$$

MAILING INSTRUCTIONS



MAIL THIS RETURN TO:

NYC DEPARTMENT OF FINANCE
FEDERAL/STATE AMENDED RETURNS SECTION
25 ELM PLACE, 3RD FLOOR
BROOKLYN, NY 11201

Attach copies of federal and/or New York State changes and explanation of items. Make remittance payable to the order of:
NYC DEPARTMENT OF FINANCE
Payment must be made in U.S. dollars, drawn on a U.S. bank.

To receive proper credit, you must enter your correct Employer Identification Number and/or Social Security Number on your tax return and remittance.

GENERAL INFORMATION

(Pursuant to Title 11, Chapter 5 of the Administrative Code of the City of New York)

This form is to be used by unincorporated businesses for reporting adjustments in taxable income resulting from an Internal Revenue Service audit of your federal income tax return, and/or New York State Department of Taxation and Finance audit of your New York State income tax return and must be filed within 90 days after a final determination or as required by the Department of Finance. It must be accompanied by the amount of additional tax due. Explain federal or New York State adjustments in detail on Schedule A of this form and attach an exact copy of the entire report of federal and/or New York State findings. If you disagree with the results of a final determination in a federal or State audit reported on this form, complete the form reporting the changes in accordance with the final determination and attach a statement explaining why you believe the adjustments are erroneous. If no such statement is attached, the amount of the New York City tax resulting from the federal or State determination reported on this form as due will be deemed assessed on the date this form is filed. **This form is to be filed separately. Do not attach it to any tax return.**

An amended New York City return (Form NYC-113) must be filed within 90 days after filing an amended federal or New York State return.

Note: For years beginning on or after July 1, 1996, an unincorporated business without a regular place of business outside the city may allocate its income within and without the city. For taxable years beginning after 1995, new rules apply to the allocation of income from broadcasting and publishing, and for taxable years beginning after June 30, 1996, to income from sales of tangible personal property. Additionally, a manufacturing business may elect to calculate its allocation percentage using a four-factor formula by double-weighting the receipts factor. See Administrative Code section 11-508 subd. (a), (c), (e-1) and (g) and instructions to forms NYC-204 and 202.

SPECIFIC INSTRUCTIONS

CALCULATION OF TAX

LINE 1

In column A enter the amount of the total income from business you reported on line 1, Schedule A, Form NYC-202 or Form NYC-204 as originally filed. If you originally filed Form NYC-202EZ, enter the amount you would have reported if you had filed NYC-202.

In column B enter the net reportable changes from line 11 of Schedule A on page 2 of this form.

In column C add or subtract the amount in column B from column A.

LINE 2

In column A enter the amount of taxable business income you reported on line 16 of Schedule A, Form NYC-202 or line 16 of Schedule A, Form NYC-204 as originally filed. In column C enter

your total business taxable income, as recomputed. To recompute your business taxable income, start with the amount in line 1, column C and make the adjustments required by lines 2 through 15 of Schedule A of Form NYC-202 or lines 2 through 15 of Schedule A of NYC-204 as originally filed. Submit a schedule showing the adjustments.

LINES 3 through 8

In column A enter the amount reported in lines 17 through 23 of Schedule A, Form NYC-202 or lines 17 through 25 of Schedule A, Form NYC-204 as originally filed. In column C recalculate those amounts and enter appropriate amounts. For line 6, compute the revised business tax credit by completing Schedule B on page 2 of this form.

LINES 10 AND 11

If you paid additional tax or received a refund as a result of a prior New York City adjustment of an item of income, gain, loss or deduction, and a federal or state change of the same item is reflected on this form, the additional tax due (line 10) or refund due (line 11) should be adjusted to reflect the additional tax already paid or refund received. Attach documentation reflecting the New York City adjustment and a schedule showing your calculations. (Any additional tax previously paid should be subtracted from tax due or added to refund due. Refunds previously received should be added to tax due or subtracted from refunds due.)

LINE 12 - INTEREST

Interest on the additional tax due, entered in column D, line 10, is computed from the due date of the original tax return to the date paid. Leave column D, line 12 blank if the amount of interest computed is less than \$1. (*See interest table below.*)

Effective for taxable years beginning on or after January 1, 1989, if this report is not filed within 90 days after the notice of the final federal or New York State determination, no interest will be paid on the resulting refund.

INTEREST RATE TABLE - ADDITIONAL TAX DUE

Beginning		Ending	Rate of Interest
March 1, 1984	through	February 28, 1986	10%
March 1, 1986	through	February 28, 1987	7.9%
March 1, 1987	through	February 29, 1988	6%
March 1, 1988	through	February 28, 1989	7.2%
March 1, 1989	through	August 31, 1989	8.5%
September 1, 1989	through	September 30, 1989	12%
October 1, 1989	through	June 30, 1991	11%
July 1, 1991	through	December 31, 1991	10%
January 1, 1992	through	March 31, 1992	9%
April 1, 1992	through	September 30, 1992	8%
October 1, 1992	through	June 30, 1994	7%
July 1, 1994	through	September 30, 1994	8%
October 1, 1994	through	March 31, 1995	9%
April 1, 1995	through	June 30, 1995	10%
July 1, 1995	through	March 31, 1996	9%
April 1, 1996	through	June 30, 1996	8%
July 1, 1996	through	December 31, 1996	9%

For rate of interest not shown in the table or for interest calculations, contact Taxpayer Assistance at: (718) 935 - 6000.

LINE 13 - ADDITIONAL CHARGES

- a) A **late filing penalty** is assessed if you fail to file this form when due, unless the failure is due to reasonable cause. For every month or partial month that this form is late, add to the tax (less any payments made on or before the due date) 5%, up to a total of 25%.
- b) If the form is filed more than 60 days late, you will be subject to the **minimum late filing penalty**. This penalty is the lesser of (1) \$100 or (2) 100% of the amount required to be shown on the form (less any payments made by the due date or credits claimed on the return).
- c) A **late payment penalty** is assessed if you fail to pay the tax shown on this form by the prescribed filing date, unless the failure is due to reasonable cause. For every month or partial month that your payment is late, add to the tax (less any payments made) 1/2%, up to a total of 25%.
- d) The total of the additional charges in *a* and *c* may not exceed 5% for any one month, except as provided for in *b*.

If you claim not to be liable for these additional charges, attach a statement to your return explaining the delay in filing, payment or both.

LINE 15 - CLAIM FOR REFUND

Where the federal or New York State change in business income would result in a refund, Form NYC-115 may be used as a claim for refund, provided it is accompanied by a complete copy of the federal and/or New York State Audit Report or Statement of Adjustment.

SCHEDULE A**LINES 1 THROUGH 4****A - Profit (or loss) from business or profession**

This is the amount of federal gross income from federal Schedule C, Form 1040, less deductions. Therefore, any federal or New York State adjustment affecting net profit (or loss) from a business or profession must be reported on this form, even though the business is not subject to federal or state tax. For example, the disallowance of a deduction increases net profit from a business or profession and the allowance of an additional deduction not claimed on the original return decreases net profit from a business or profession.

B - Partnership income

Any federal or New York State adjustments made to items of income, gain, loss or deduction affecting partnership income from federal Form 1065 must be reported on this form.

LINE 5 - NET ADJUSTMENTS

The amount entered on line 5 (column F) should be the net adjustments disclosed by federal or New York State audit before taking into consideration any New York City changes applicable thereto. Note that a recomputation or revision of your federal or New York State return increasing net profit (or loss) from a business or profession or partnership income reported thereon, which results in a reduction of an overpayment or refund claimed, must be reported on this form even though you receive

a refund or overpayment credit following the audit or pre-audit of your federal or New York State return.

LINES 6 THROUGH 11 - NEW YORK CITY CHANGES

If any federal or New York State item reported in column F is affected by a modification increasing or decreasing that item for New York City tax purposes pursuant to Section 11-506 of the Administrative Code of the City of New York, show the details and enter the New York City net change at line 10. If a New York City business allocation percentage is utilized, submit allocation schedule.

SCHEDULE B

1. If the tax on page 1, line 5, Column C is \$800 or less, your credit on line 6 is the entire amount of tax on page 1, line 5, Column C.
2. If the tax on page 1, line 5, Column C is \$1,000 or over, no credit is allowed. Enter "NONE" on page 1, line 6, Column C.
3. If the tax on page 1, line 5, Column C is over \$800 but less than \$1,000, your credit is computed by the following formula:

$$\left. \begin{array}{l} \text{Tax on pg. 1,} \\ \text{line 5, Column C} \end{array} \right\} \times \frac{(\$1,000 \text{ minus tax on page 1, line 5, Column C})}{\$200} = \frac{\quad}{\quad} \text{YOUR CREDIT}$$

TAXPAYER ASSISTANCE

If you have a tax-related question or problem, contact Taxpayer Assistance, Monday through Friday, between the hours of 8:30 am and 5:30 pm.

Call: (718) 935-6000

Visit: Taxpayer Assistance
25 Elm Place, 4th Floor
Brooklyn, NY 11201

For recorded tax information call: *Citytax Dial* at (718) 935-6736.

Tax Fax

You can have forms delivered to you immediately by fax. Call **Tax Fax** at (718) 935-6114 from the telephone connected to your fax machine or fax modem. This service is available 24 hours a day, seven days a week.

MAIL THIS FORM TO:

NYC DEPARTMENT OF FINANCE
FEDERAL/STATE AMENDED
RETURNS SECTION
25 ELM PLACE, 3RD FLOOR
BROOKLYN, NY 11201