FORM
N-288C
(REV. 2015)

STATE OF HAWAII—DEPARTMENT OF TAXATION

APPLICATION FOR TENTATIVE REFUND OF WITHHOLDING ON DISPOSITIONS BY NONRESIDENT PERSONS OF HAWAII REAL PROPERTY INTERESTS

THIS SPACE FOR DATE RECEIVED STAMP

Clear Form

NCF151

For calendar year 2016

or other tax year beginning ● _____, 2016

and ending ● _____, 20____

(NOTE: References to "married", "unmarried", and "spouse" also means "in a civil union", "not in a civil union", and "civil union partner", respectively.)

NOTE: DO NOT file this form unless you have received notification from the Department of Taxation that we have received your withholding payment.

Name (If joint return, give first names and initials of both) ●	Last Name	● Your Social Security Number
Name (Corporation, Partnership, Trust, or Estate) ●		● Spouse's Social Security Number
Trade Name/Doing Business As (DBA) Name or C/O ●		● Federal Employer I.D. No.
Address (number and street) ●		Daytime Phone No. ( )
City, State, and Postal/ZIP Code (province, postal code, and country) ●		

Description of Hawaii real property transaction:

a. Date of transfer (month, day, year) _____

b. Location and general description of property

_____

_____

c. Tax map key number _____

Check only ONE box:

☐ Individual

☐ Others (Corporation, Partnership, Trust, or Estate)

Was the property used at anytime as a rental? **Yes** ☐ **No** ☐ If yes, enter your Hawaii Tax I.D. Number: **W** __ __ __ __ __ __ __ __ - __ __ and indicate the start date and end date of the rental activity: (month, day, year) _____ to (month, day, year) _____

1.	Enter the amount withheld on Form N-288A. (Attach a copy of Form N-288A)		1 ●	
2.	Sales price	2		
3.	Cost or other basis (see Instructions)	3		
4.	Gain. Line 2 minus line 3 (see Instructions for installment sales)	4		
5.	Enter the tentative tax on the gain (see Instructions)		5 ●	
6.	**REFUND** of amount withheld. Line 1 minus line 5. **(This line MUST be filled in.)**		6 ●	

Please Sign Here

I hereby declare under penalties provided by section 231-36, HRS, that I have examined this application and accompanying attachments, and, to the best of my knowledge and belief, they are true, correct, and complete.

● _____ Signature _____ Title (If applicable) _____ Date

● _____ Signature _____ Title (If applicable) _____ Date

MAILING ADDRESS

HAWAII DEPARTMENT OF TAXATION

P. O. BOX 1530

HONOLULU, HAWAII 96806-1530

General Instructions

Purpose of Form

Use Form N-288C to apply for a refund of the amount withheld on dispositions by nonresident persons of Hawaii real property interests which is in excess of the transferor/seller's tax liability for the transaction. Form N-288C should be filed if the Hawaii income tax return (Form N-15, N-20, N-30, N-35, or N-40) for the year is not yet available. If available, the transferor/seller should file the appropriate tax return instead of filing Form N-288C. Also, Form N-288C will be rejected if it is filed after the due date of the tax return.

IMPORTANT: If Form N-288C was filed, the transferor/seller must still file a Hawaii income tax return (Form N-15, N-20, N-30, N-35, or N-40) after the end of the taxable year, report the entire income for the year (from other sources as well as the transaction), and pay any additional tax due on the income or request a refund.

Who May File an Application

The transferor/seller may file Form N-288C.

NOTE: *Under Section 235-111, Hawaii Revised Statutes, any claim for credit or refund of an overpayment of taxes must be filed within three years from the due date of the return, or within two years from the time the tax was paid, whichever is later.*

Where to Send Form N-288C

File Form N-288C with the Hawaii Department of Taxation (Department). See the front of the form for the mailing address.

Specific Instructions

NOTE: *Before you begin to fill in Form N-288C, you should review the notification you received from the Department that we have received your withholding payment to make sure that the information contained in it is correct. If any information is not correct, please return a copy of the notification to the Department with the corrected information.*

At the top of Form N-288C, enter the taxable year of the transferor/seller if it is other than a calendar year.

Also, enter the name, address, and identification number (social security number or federal employer I.D. number), if any, of the transferor/seller applying for a refund of the amount withheld. The name and identification number entered MUST be the same as the name and identification number entered for the transferor/seller on Form N-288A, or as corrected on the copy of the notification you returned to the Department. If the transferor/seller was issued an individual taxpayer identification number (ITIN) by the IRS, enter the ITIN. If the individual has applied for an ITIN but the IRS has not yet issued the ITIN, write "Applied For".

Also, enter the information describing the Hawaii real property transaction. In b, enter the address and description of the property. In c, enter the tax map key number.

Line 2. Enter the gross sales price from the sale. Attach a copy of your closing escrow statement from your sale of this property.

Line 3. In general, the cost or adjusted basis is the cost of the property plus purchase commissions and improvements, minus depreciation (if applicable). Increase the cost or other basis by any expense of sale, such as commissions and state transfer taxes. Do not include any carryforward losses, net operating losses or suspended passive activity losses. Complete the *Computation of cost or other basis* worksheet below and enter the amount from line 4 of the worksheet to the front of Form N-288C, line 3.

Line 4. Line 2 minus line 3. If you are reporting the gain under the installment method, attach a separate sheet showing the principal payments received during the taxable year and the gross profit percentage. Multiply the amount of the principal payments by the gross profit percentage and enter the result on line 4.

Line 5. If you are a C corporation, multiply line 4 by 4% and enter the result on line 5. If you are a person other than a C corporation, you must use the tax rate schedules to the left to determine the amount to enter on line 5.

Note: These tax rates apply to long-term capital gains. For short-term capital gains, use the tax rates in the 2015 income tax booklets to determine the amount to enter on line 5.

For partnerships, S corporations, trusts, or estates, the gain on line 4 must be allocated among each partner or member, S corporation shareholder, or beneficiary of the trust or estate (member). Calculate the tax liability for each member. Enter the total tax liability of all members on line 5. Attach a schedule showing the name, identification number, and the amount of gain and tax liability allocated to each member. Also, show the computation of the tax liability for each member.

Signature

Form N-288C must be signed by an individual, a responsible corporate officer, a member or general partner of a partnership, or a trustee, executor, or other fiduciary of a trust or estate or by an authorized agent with a power of attorney. If you file your income tax return as married filing a joint return, your spouse must also sign this form.

NOTE: *Incomplete forms will be returned to the transferor/seller. Please fill out all items.*

2016 Tax Rate Schedules

Schedule I

SINGLE INDIVIDUALS AND MARRIED INDIVIDUALS FILING SEPARATE RETURNS

If the taxable income is:	The tax shall be:
Not over $2,400	1.40% of taxable income
Over $2,400 but not over $4,800	$34.00 plus 3.20% over $2,400
Over $4,800 but not over $9,600	$110.00 plus 5.50% over $4,800
Over $9,600 but not over $14,400	$374.00 plus 6.40% over $9,600
Over $14,400 but not over $19,200	$682.00 plus 6.80% over $14,400
Over $19,200 but not over $24,000	$1,008.00 plus 7.20% over $19,200
Over $24,000	$1,354.00 plus 7.25% over $24,000

Schedule II

MARRIED INDIVIDUALS FILING JOINT RETURNS AND CERTAIN WIDOWS AND WIDOWERS

If the taxable income is:	The tax shall be:
Not over $4,800	1.40% of taxable income
Over $4,800 but not over $9,600	$67.00 plus 3.20% over $4,800
Over $9,600 but not over $19,200	$221.00 plus 5.50% over $9,600
Over $19,200 but not over $28,800	$749.00 plus 6.40% over $19,200
Over $28,800 but not over $38,400	$1,363.00 plus 6.80% over $28,800
Over $38,400 but not over $48,000	$2,016.00 plus 7.20% over $38,400
Over $48,000	$2,707.00 plus 7.25% over $48,000

Schedule III

HEAD OF HOUSEHOLD

If the taxable income is:	The tax shall be:
Not over $3,600	1.40% of taxable income
Over $3,600 but not over $7,200	$50.00 plus 3.20% over $3,600
Over $7,200 but not over $14,400	$166.00 plus 5.50% over $7,200
Over $14,400 but not over $21,600	$562.00 plus 6.40% over $14,400
Over $21,600 but not over $28,800	$1,022.00 plus 6.80% over $21,600
Over $28,800 but not over $36,000	$1,512.00 plus 7.20% over $28,800
Over $36,000	$2,030.00 plus 7.25% over $36,000

Computation of cost or other basis worksheet

1. Purchase price of property				$ _____
2. Add:	Improvements	$ _____		
	Selling expenses	_____		
	Other (list) _____	_____		_____
3. Less:	Depreciation	_____		
	Other (list) _____	_____		_____
4. Adjusted basis of property. (Line 1 plus line 2, minus line 3)				$ _____