

2016 Ohio IT 1140

Pass-Through Entity and Trust Withholding Tax Return



16170102

☐ Check here if amended return ☐ Check here if final return

For taxable year beginning in

MM/2016

FEIN

Entity Type:

S corporation

Partnership

(check only one)

Limited liability company

Trust

Name of pass-through entity

Address (if address change, check box)

City

State

ZIP code

Number of investors

Apportionment ratio, page 3, line 8

Schedule B, line 1 – total of columns A and B

00

If the amount on a line is negative, place a negative sign (“-”) in the box provided.

Schedule A – Reconciliation Tax and Payments

Column (I) – Withholding Tax**Column (II) – Entity Tax**

- [illegible]

If your refund is \$1.00 or less, no refund will be issued. If you owe \$1.00 or less, no payment is necessary.

Do not write in this area; for department use only.



Department of
Taxation
Rev. 10/16

2016 Ohio IT 1140 Pass-Through Entity and Trust Withholding Tax Return



16170202

FEIN

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Sign Here (required): I declare under penalties of perjury that this report, including any accompanying schedules and statements, has been examined by me and to the best of my knowledge and belief is a true, correct and complete return and report.

Pass-through entity officer or agent (print name)

Title of officer or agent (print name)

Phone number

Signature of pass-through officer or agent

Date

Preparer's name (print name)

Phone number

Preparer's e-mail address

PTIN

Do you authorize your preparer to contact us regarding this return? Yes ☐ No ☐

Do not staple or otherwise attach.
Place any supporting documents, including
K-1's, after the last page of this return.

Mail to:
Ohio Dept. of Taxation
P.O. Box 181140
Columbus, OH 43218-1140

Instructions for this form are on our
Web site at tax.ohio.gov.

If the amount on a line is negative, place a negative sign ("–") in the box provided.

Schedule B – Qualifying Pass-Through Entities – Tax Due

Use this schedule to calculate the adjusted qualifying amounts and tax due for all qualifying investors in qualifying pass-through entities. Include federal K-1s and a listing of pass-through credits of participating investors. See "Special Notes" in the instructions, which are available on our Web site at tax.ohio.gov.

	(A) Qualifying Investors Who Are Nonresident Individuals	(B) Qualifying Investors Other Than Nonresident Individuals
1. Sum of all qualifying investors' distributive shares of income, gain, expenses and losses ...	00	00
2a. Add <input type="checkbox"/> 2/3, <input type="checkbox"/> 5/6 or <input type="checkbox"/> 6/6 (check applicable box) of the qualifying investors' distributive shares of Internal Revenue Code (I.R.C.) sections 168(k) and 179 depreciation expense and miscellaneous federal income tax adjustments, if any. Include a separate schedule showing calculations	00	00
2b. Subtract qualifying investors' distributive shares of other statutory adjustments and miscellaneous federal income tax adjustments, if any.....	00	00
3. Qualifying investors' distributive shares of adjusted qualifying amount: Sum of lines 1 and 2a minus line 2b.....	00	00
4. Add all qualifying investors' distributive shares of expenses and losses incurred in connection with all direct and indirect transactions between the qualifying pass-through entity and its related members, including certain investors' family members (see Note 2 on page 6). However, do <u>not</u> add expenses or losses incurred in connection with sales of inventory to the extent that the cost of the inventory and the loss incurred were calculated in accordance with I.R.C. sections 263A and 482 (see Note 3 on page 6)	00	00
5. If the qualifying pass-through entity is either a partnership or a limited liability company treated as a partnership, add all qualifying investors' distributive shares of guaranteed payments that the qualifying pass-through entity made to any qualifying investor directly or indirectly owning at least 20% of the qualifying pass-through entity	00	00

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Postmark date				Code

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Schedule B – Qualifying Pass-Through Entities – Tax Due...cont.

	(A) Qualifying Investors Who Are Nonresident Individuals	(B) Qualifying Investors Other Than Nonresident Individuals
6. If the qualifying pass-through entity is an S corporation, add all qualifying investors' distributive shares of compensation that the qualifying pass-through entity S corporation made to any qualifying investor directly or indirectly owning at least 20% of the qualifying pass-through entity. Reciprocity agreements do not apply. (See Note 3 on page 6.)..... 6.	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div></div>	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div></div>
7. Qualifying investors' adjusted distributive shares. Sum of lines 3, 4, 5 and 6, but not less than -0- 7.	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div><div><div></div><div></div><div></div><div></div><div></div>.</div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div></div>	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div><div><div></div><div></div><div></div><div></div><div></div>.</div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div></div>
8. Apportionment ratio from Schedule C, line 4, below..... 8.	<div><div></div><div></div><div></div><div></div><div></div>.</div> <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div>.</div> <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>
9. Qualifying investors' adjusted qualifying amount: Line 7 times line 8. Complete the remainder of this worksheet only if the sum of columns A and B on line 9 exceeds \$1,000..... 9.	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div><div>X .05</div></div>	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div><div>X .085</div></div>
10. Tax rate (see Note 4 on page 6)..... 10.		
11. Tax due: Line 9 times line 10. Round tax to the nearest dollar. Enter the column A amount on page 1, line 1, column I; enter the column B amount on page 1, line 1, column II..... 11.	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div></div>	<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>,<div><div></div><div></div><div></div><div></div><div></div>.00</div></div></div>

Schedule C – Qualifying Pass-Through Entities – Apportionment Worksheet

Use this schedule to calculate the apportionment ratio for a qualifying pass-through entity that is not a financial institution as defined in Ohio Revised Code section (R.C.) 5725.01. If the pass-through entity is a financial institution, refer to the instructions. **Note:** All ratios are to be carried to six decimal places.

1. Property	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Within Ohio</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> <div style="width: 48%;"> <p style="text-align: center;">Total Everywhere</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> </div>	
a) Owned (average cost)	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Within Ohio</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> <div style="width: 48%;"> <p style="text-align: center;">Total Everywhere</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> </div>	
b) Rented (annual rental X 8)	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Within Ohio</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> <div style="width: 48%;"> <p style="text-align: center;">Total Everywhere</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> </div>	
c) Total (lines 1a and 1b)	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Within Ohio</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> <div style="width: 48%;"> <p style="text-align: center;">Total Everywhere</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Ratio</p> <p style="text-align: center;">= </p> </div> <div style="width: 4%;"> <p style="text-align: center;">÷</p> </div> <div style="width: 48%;"> <p style="text-align: center;">Weight</p> <p style="text-align: center;">X </p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Weighted Ratio</p> <p style="text-align: center;">= </p> </div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Within Ohio</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> <div style="width: 4%;"> <p style="text-align: center;">÷</p> </div> <div style="width: 48%;"> <p style="text-align: center;">Total Everywhere</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> </div>	
2. Payroll	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Ratio</p> <p style="text-align: center;">= </p> </div> <div style="width: 4%;"> <p style="text-align: center;">÷</p> </div> <div style="width: 48%;"> <p style="text-align: center;">Weight</p> <p style="text-align: center;">X </p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Weighted Ratio</p> <p style="text-align: center;">= </p> </div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Within Ohio</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> <div style="width: 4%;"> <p style="text-align: center;">÷</p> </div> <div style="width: 48%;"> <p style="text-align: center;">Total Everywhere</p> <div style="border: 1px solid #ccc; padding: 2px; display: flex; justify-content: space-between;"> </div> </div> </div>	
3. Sales	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Ratio</p> <p style="text-align: center;">= </p> </div> <div style="width: 4%;"> <p style="text-align: center;">÷</p> </div> <div style="width: 48%;"> <p style="text-align: center;">Weight</p> <p style="text-align: center;">X </p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Weighted Ratio</p> <p style="text-align: center;">= </p> </div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;">Weighted Ratio</p> <p style="text-align: center;">= </p> </div> </div>	
4. Total weighted apportionment ratio (add lines 1c, 2 and 3). Enter ratio here and on line		

Note: If the denominator of any factor is zero, the weight given to the other factors must be proportionately increased so that the total weight given to the combined number of factors used is 100%, i.e., if no property/payroll, use 25% and 75%; if no sales, use 50% property/payroll; if only one factor, use 100%.

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If the amount on a line is negative, place a negative sign (“–”) in the box provided.

Schedule D – Trusts – Tax Due

Use this schedule to calculate the adjusted qualifying amounts and withholding tax due for nonresident individuals who are beneficiaries of trusts that made distributions of either income or gain attributable to the trust's ownership of or disposition of either tangible personal property located in Ohio or real property located in Ohio.

- | | | | |
|---|-----|--|-------|
| 1. Sum of all distributions to nonresident individuals of income or gain attributable to the trust's ownership of or disposition of either tangible personal property located in Ohio or real property located in Ohio..... | 1. | | 00 |
| 2a. Add <input type="checkbox"/> 2/3, <input type="checkbox"/> 5/6 or <input type="checkbox"/> 6/6 (check applicable box) of the I.R.C. section 168(k) depreciation expense and miscellaneous federal income tax adjustments attributed to nonresident individuals who are beneficiaries of trusts. Include a separate schedule showing calculations..... | 2a. | | 00 |
| 2b. Other statutory adjustments and miscellaneous federal income tax adjustments attributed to nonresident individuals who are beneficiaries of trusts..... | 2b. | | 00 |
| 3. Adjusted qualifying amount: sum of lines 1 and 2a minus line 2b. Complete the remainder of the worksheet only if line 3 exceeds \$1,000..... | 3. | | 00 |
| 4. Tax rate | 4. | | X .05 |
| 5. Tax due: Line 3 times line 4. Round tax to the nearest dollar. Enter here and on page 1, line 1, column l..... | 5. | | 00 |

Schedule E – Investor Information

☐ Check the box if this year's investor information either (i) includes names that were not listed on last year's return or (ii) excludes names that were listed on last year's return. Provide investor information for **all** (resident and nonresident) investors in the pass-through entity or trust. List investors by highest to lowest ownership percentage. **Use an additional sheet, if necessary.** See Note 5 on page 6 for the amount of pass-through entity tax credits.

SSN [][] [][] [][][][] FEIN [][] [][][][][][][][] Percent of ownership [] . [][][][] Amount of PTE tax credit [][][], [][][], [][][] 00

First name/entity	M.I.	Last name

Address

City _____ State _____ ZIP code _____

[illegible]

First name/entity	M.I.	Last name

[illegible]

City _____ State _____ ZIP code _____

Do not write in this area; for department use only.



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[illegible]

First name/entity	M.I.	Last name

City State ZIP code

SSN FEIN Percent of ownership Amount of PTE tax credit

First name/entity	M.I.	Last name

[illegible]

City State ZIP code

SSN		FEIN		Percent of ownership	Amount of PTE tax credit
<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>

[illegible]

Address

City State ZIP code

SSN FEIN Percent of ownership Amount of PTE tax credit

First name/entity M.I. Last name

Address

City State ZIP code

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Do not submit this page with your IT 1140 return.

Important Notes:

Note 1: Instructions for Schedule A, line 3. If this pass-through entity or trust has invested in a partnership or limited liability company that also filed Ohio IT 1140, this pass-through entity or trust is **not** entitled to any payment or credit for this pass-through entity's or this trust's proportionate share of tax paid by that investee partnership or investee limited liability company.

Furthermore, this pass-through entity or trust **cannot** claim such payment as an estimated payment for this pass-through entity's or trust's taxable year. However, the pass-through entity or trust can "pass through" (via the K-1s it will issue) to its qualifying investors or to its qualifying beneficiaries the pass-through entity's or trust's proportionate share of such tax payment that the investee partnership or investee limited liability company paid on behalf of this pass-through entity or trust.

Note 2: Instructions for Schedule B, line 4. "Related member" is defined in R.C. section 5733.042(A)(6) but is modified by R.C. section 5733.40(P). For purposes of the line 4 adjustment, a related member is any business entity or person directly or indirectly related to the taxpayer if the direct and indirect ownership interests equals or exceeds 40% of all ownership interests.

Note 3: Instructions for Schedule B, lines 4 and 6. Include on line 4 all compensation paid to or for family member employees if the pass-through entity owner who is a member of family directly, indirectly and/or by attribution owns at least 40% of the pass-through entity unless the compensation is subject to (A)(7) and included on line 6. See R.C. section 5733.40(A)(3). Do not show on line 4 any amount required on line 6.

Note 4: Instructions for Schedule B, line 10, column (B). For those qualifying corporate investors that are **not** listed below, the tax rate for the taxable year beginning in 2016 is 0%; therefore the pass-through entity should pay no tax with respect to these corporations. For those qualifying corporate investors that are listed below and for qualifying investors that are estates, trusts and pass-through entities, compute the tax at the rate of 8.5%. See R.C. section 5733.41.

- Financial holding companies as defined in the federal "Bank Holding Company Act."
- Bank holding companies as defined in the federal "Bank Holding Company Act."

- Savings and loan holding companies as defined in the federal "Home Owners Loan Act" that are engaging only in activities permissible under 12 United States Code (U.S.C.) 1843(k).
- Persons, other than persons held pursuant to merchant banking authority under 12 U.S.C. 1843(k)(4)(H) or 12 U.S.C. 1843(k)(4)(I), directly or indirectly "owned" by one or more financial institutions, financial holding companies, bank holding companies, or savings and loan holding companies, but only if those persons are engaged in activities permissible for a financial holding company under 12 U.S.C. 1843(k).
- Persons directly or indirectly "owned" by one or more insurance companies, but only if those persons are authorized to conduct the business of insurance in this state.
- Persons that solely facilitate or service one or more "securitizations" or similar transactions for financial institutions, financial holding companies, bank holding companies, savings and loan holding companies, insurance companies, or persons directly or indirectly "owned" by such businesses.

Definition of "owned" for this purpose: a person "owns" another entity if the person:

- owns at least 50% of the entity's voting stock (corporations);
- owns at least 50% of the entity's membership interests (LLCs); OR
- has a beneficial interest in the entity's profits, surpluses, losses or distributions (partnerships, trusts or other business interests).

Definition of "securitization" for this purpose: Transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

If you use multiple rates for column B, include a schedule reflecting the computation of tax for each type of investor.

Fiscal filers: Use the rate in effect on the last day of the taxable year.

Note 5: Amount of tax credits that will pass through from the qualifying pass-through entity or qualifying trust to each qualifying investor or qualifying beneficiary.

Federal Privacy Act Notice

Because we require you to provide us with a Social Security number, the *Federal Privacy Act of 1974* requires us to inform you that providing us with your Social Security number is mandatory. Ohio Revised Code sections 5703.05, 5703.057 and 5747.08 authorize us to request this information. We need your Social Security number in order to administer this tax.