



Application for Pass-Through Entity Tax Refund

File this application with: Ohio Department of Taxation Employment Tax Division P.O. Box 2476 Columbus, OH 43216-2476 Fax (614) 466-1582	<input checked="" type="checkbox"/> Please type or print in ink. <input checked="" type="checkbox"/> Retain a copy for your records. <input checked="" type="checkbox"/> See important information and law on page 2.	Please check one: <input type="checkbox"/> IT 4708 <input type="checkbox"/> IT 1140 <input type="checkbox"/> IT 1041
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For year beginning _____, 20____ and ending _____, 20____

1. Name _____
2. Address _____
3. City, state, ZIP code _____
4. FEIN/SSN _____
5. Amount of refund claimed
 - a. By payment of an illegal or erroneous assessment:
Assessment date _____ Assessment serial # _____ \$ _____
 - b. By other payment to Ohio Treasurer of State \$ _____
 - c. Total amount of refund claimed (prior to calculation of interest) \$ _____
6. State full and complete reasons for above claim. Attach additional sheets, if necessary.

7. Payment of the amount upon which this refund claim is based, was made or included in the following remittance(s) (include all payments made for the tax year). Attach additional payment schedule, if necessary:

Amount	Date	Amount	Date
		Total Payments =	\$

Person responsible for the filing of this refund application. **I declare under penalty of perjury that I am the taxpayer or that I am an authorized agent of the taxpayer, having knowledge of the relevant facts in this matter to file this refund application.**

Name _____ Title _____ E-mail _____

Signature _____ Date _____ Phone no. _____

Contact person (if different from the person above responsible for filing this refund application).

Name _____ Title _____

Firm name _____ Daytime phone no. _____

Street address _____ Fax no. _____

City, state, ZIP code _____ E-mail address _____

For state use only

Information and Pertinent Law Sections

PTE REF
Rev. 9/14

1. You must complete all blanks on the front side of this application. Please type or print in ink.

2. Please make a copy of this application for your records. Mail to the address or fax to the number shown on page 1.

3. Ohio Revised Code section (R.C.) 5747.11(C) provides for the payment of interest at the rate prescribed by R.C. section 5703.47 on all refunds granted. To the extent a refund is granted on this application, either in whole or in part, the Ohio Department of Taxation will calculate and include the appropriate amount of interest in the refund payment made to the applicant. The applicant should not include such interest in the amount of refund claimed.

4. Pass-through entity tax refunds are governed by R.C. section 5747.11, which provides in pertinent part as follows:

(A) The tax commissioner shall refund to employers, qualifying entities or taxpayers subject to a tax imposed under section 5733.41, 5747.02 or 5747.41, or Chapter 5748 of the Revised Code the amount of any overpayment of such tax.

(B) Except as otherwise provided under divisions (D) and (E) of this section, applications for refund shall be filed with the tax commissioner, on the form prescribed by the commissioner, within four years from the date of the illegal, erroneous, or excessive payment of the tax, or within any additional period allowed by division (B)(3)(b) of section 5747.05, division (B) of section 5747.10, division (A) of section 5747.13, or division (C) of section 5747.45 of the Revised Code.

On filing of the refund application, the commissioner shall determine the amount of refund due and, if that amount exceeds one dollar, certify such amount to the director of budget and management and treasurer of state for payment from the tax refund fund created by section 5703.052 of the Revised Code. Payment shall be made as provided in division (C) of section 126.35 of the Revised Code.

(C)(1) Interest shall be allowed and paid at the rate per annum prescribed by section 5703.47 of the Revised Code on amounts refunded with respect to the tax imposed under section 5747.02 or Chapter 5748 of the Revised Code from the date of the overpayment until the date of the refund of the overpayment, except that if any overpayment is refunded within ninety days after the final filing date of the annual return or ninety days after the return is filed, whichever is later, no interest shall be allowed on such overpayment. If the overpayment results from the carryback of a net operating loss or net capital loss to a previous taxable year, the overpayment is deemed not to have been made prior to the filing date, including any extension thereof, for the taxable year in which the net operating loss or net capital loss arises.

For purposes of the payment of interest on overpayments, no amount of tax, for any taxable year, shall be treated as having been paid before the date on which the tax return for that year was due without regard to any extension of time for filing such return.

(2) Interest shall be allowed at the rate per annum prescribed by section 5703.47 of the Revised Code on amounts refunded with respect to the taxes imposed under sections 5733.41 and 5747.41 of the Revised Code. The interest shall run from whichever of the following days is the latest until the day the refund is paid: the day the illegal, erroneous, or excessive payment was made; the ninetieth day after the final day the annual report was required to be filed under section 5747.42 of the Revised Code; or the ninetieth day after the day that report was filed.

(D) "Ninety days" shall be substituted for "four years" in division (B) of this section if the taxpayer satisfies both of the following conditions:

(1) The taxpayer has applied for a refund based in whole or in part upon section 5747.059 of the Revised Code;

(2) The taxpayer asserts that either the imposition or collection of the tax imposed or charged by this chapter or any portion of such tax violates the Constitution of the United States or the Constitution of Ohio.

(E)(1) Division (E)(2) of this section applies only if all of the following conditions are satisfied:

(a) A qualifying entity pays an amount of the tax imposed by section 5733.41 or 5747.41 of the Revised Code;

(b) The taxpayer is a qualifying investor as to that qualifying entity;

(c) The taxpayer did not claim the credit provided for in section 5747.059 of the Revised Code as to the tax described in division (E)(1)(a) of this section;

(d) The four-year period described in division (B) of this section has ended as to the taxable year for which the taxpayer otherwise would have claimed that credit.

(2) A taxpayer shall file an application for refund pursuant to division (E) of this section within one year after the date the payment described in division (E)(1)(a) of this section is made. An application filed under division (E)(2) of this section shall claim refund only of overpayments resulting from the taxpayer's failure to claim the credit described in division (E)(1)(c) of this section. Nothing in division (E) of this section shall be construed to relieve a taxpayer from complying with division (A)(16) of section 5747.01 of the Revised Code.