



Government of the District of Columbia
Office of the Chief Financial Officer
Office of Tax and Revenue

2020

D-65

District of Columbia (DC) Partnership Return of Income Tax Forms and Instructions

MyTax.DC.gov



Simpler. Faster. Safer.

The District allows Corporation Franchise (D-20), Unincorporated Franchise (D-30), Partnership (D-65), and Fiduciary (D-41) taxpayers to file paper returns with attachments using a USB flash drive. Include the following on the flash drive:

- **A signed and dated return;**
- **Any DC schedules you are submitting;**
- **Any federal forms that must accompany the return;**
- **Indicate on the flash drive label, form number, TIN, tax year being filed; and**
- **Images on the flash drive should be in PDF format**



What's New

- **District of Columbia Opportunity Zone Tax Benefits** are now available to an entity investing in a DC Qualified Opportunity Fund. See instructions for further details.

Reminder:

- **Modernized e-File (MeF)** - Partnership return filers may now e-file the D-65 Partnership Return of Income through MeF.
- **DC Ballpark TIF Area** - A fill in "if QHTC located in DC Ballpark TIF Area" oval has been added to page 1 of the D-65 return.
- **QHTC Self-Certification on [MyTax.DC.gov](https://mytax.dc.gov)** - Beginning January 1, 2019, existing and new taxpayers seeking QHTC related benefits must complete an online application to fulfill the self-certification requirements. The annual Certification process replaces the existing requirement of filing the QHTC Cert with the return.

INSTRUCTIONS FOR THE D-65 PARTNERSHIP RETURN

Who must file a DC Form D-65?

Except for partnerships required to file an unincorporated business franchise tax return, DC Form D-30, or corporation franchise tax return, DC Form D-20, or an LLC, or publicly traded partnership that filed a federal corporation return, all partnerships engaged in any trade or business in DC or which received income from sources in DC, must file a Form D-65.

The term “partnership” includes a limited partner, group, syndicate, pool and joint venture through or by means of which any business, financial operation, or venture is carried on. The following are excluded by law: 1) a corporation; 2) a trust or estate; or 3) an unincorporated business. The term “partner” includes a member of a syndicate, pool or joint venture.

If the return is filed on behalf of a syndicate, pool, joint venture or similar group, attach to the D-65 a copy of the agreement and all amendments to the agreement.

A limited liability company is classified as a partnership. The only exception is if the IRS has classified it differently. Use the same classification on your DC return as that used on your federal return.

Who must file DC Form D-30 instead of Form D-65?

Every partnership which, during the taxable year, engaged in an “unincorporated business” as defined in paragraph (1) below, and which met the gross income threshold as stated in paragraph (2) below, must file a Form D-30, rather than Form D-65. If Form D-65 is filed instead of Form D-30, attach an explanation to the D-65.

(1)(a) A partnership with gross income of more than \$12,000 which leases real or personal property in DC, regardless of whether services are performed, (including professional partnerships) must file a Form D-30 instead of Form D-65.

(b) “Unincorporated Business”. An unincorporated business is any trade or business, conducted or engaged in by any individual, whether resident or nonresident, statutory or common-law trust, estate, partnership, or limited or special partnership, society, association, executor, administrator, receiver, trustee, liquidator, conservator, committee, assignee, or by any other entity or fiduciary, other than a trade or business conducted or engaged in by any corporation, S corporation, Q-sub, publicly traded partnership or any other form of entity treated as a corporation for District tax purposes. This includes any trade or business which, if conducted or engaged in by a corporation, would be taxable.

(c) Excluded is any trade or business which by law, custom, or ethics, cannot be incorporated or any trade or business deriving more than 80% of its gross income from personal services rendered by owners or members of the partnership or other entity in conducting or carrying on any trade or business in which capital is not a material income-producing factor.

(2) Gross income requirement for filing DC Form D-30. A return must be filed by an unincorporated business if its gross income from engaging in or carrying on any trade or business in DC plus any other gross income received from DC sources amounts to more than \$12,000 during the year, regardless of whether it had net income. For filing purposes, the words “gross income” means gross revenue before deduction of cost of goods, expenses and other deductions allowable in the determination of net income.

NOTE: For District tax purposes, taxpayers are not permitted to claim the 100% federal depreciation per Internal Revenue Code (IRC) 168(k), nor the additional Internal Revenue Code (IRC) Section 179 expenses. Taxpayers should keep a separate depreciation schedule for DC tax purposes.

When is your return due?

You must file your return by:

- Calendar year filer – April 15, 2021; or
- Fiscal year filer – the fifteenth day of the fourth month following the ending of the taxable year you entered at the top of the DC Form D-65.

If the due date falls on a Saturday, Sunday or legal holiday, the return is due the next business day.

If you are requesting an extension of time to file, submit DC Form FR-165, Extension of Time to File a DC Partnership Return, by the due date of your return. Do not use the federal extension of time to file form to request a DC extension.

How to file your return

File your DC Form D-65 with the Office of Tax and Revenue, 1101 4th Street, SW, FL4, Washington, DC 20024.

Sign and date the return. Make a copy for yourself. If submitting the return with attachments, you must submit using a USB flash drive unless you are filing electronically.

Include the following on the flash drive:

- The signed D-65 return;
- Any attachments and/or schedules (federal Form 1065, and Schedule K-1). Include copies of all the schedules and statements accompanying the Form 1065. Also attach a schedule showing the pass-through distribution of income for all members of the partnership, and copies of the completed federal K-1 schedule; and
- Write on the flash drive label, “D-65”, your TIN, and the tax year being filed.

Assembling your D-65 return

Do not staple or otherwise damage the Bar Code located in the upper right hand corner of this form or schedule(s) being attached.

Substitute forms

You may file your DC tax return using a computer-prepared or computer-generated substitute form, provided the form is approved in advance by the Office of Tax and Revenue (OTR). The fact that a software package is available for retail purchase does not mean that the substitute form has been approved for use. Call or check with the software developer to determine if its form is approved by the DC OTR.

By Modernized e-File (MeF)

MeF offers most DC Partnership return filers a full federal/state electronic filing program. There are three ways in which taxpayers can file their federal and District returns together electronically:

1. Through an authorized software provider listed on the Internal Revenue Service (IRS) website;
2. Through a tax practitioner who is an authorized e-File provider; or
3. Through a commercial online filing service. This allows taxpayers to transmit their DC and federal returns from their PC.

Special filing circumstances

Combined Reporting

If the partnership is unitary with a combined group, fill in the "if unitary" oval on page 1 of Form D-65. In addition, provide the designated agent's name and Taxpayer Identification Number (TIN) on page 1 of the form.

Qualified High Technology Companies (QHTC)

If you are a QHTC, fill in the oval on page 1 of the D-65. A partnership claiming QHTC tax benefits must complete the QHTC certification process online via [MyTax.DC.gov](https://www.mytax.dc.gov). For additional information, please see the online publication, FR-399, Qualified High Technology Companies.

DC Ballpark Tax Increment Financing (TIF) Area

If a business entity claiming to be a QHTC is located in the DC Ballpark TIF Area as specified in DC Code §2-1217.12, fill in the "if QHTC located in DC Ballpark TIF Area" oval on page 1 of Form D-65. A business entity located in the DC Ballpark TIF Area cannot receive QHTC tax benefits. See DC Code §47-1817.01(5)(B)(iii).

District of Columbia Opportunity Zone Tax Benefits

The Tax Cuts and Jobs Act of 2017 included a provision called 'Opportunity Zones' which established certain tax benefits for federal taxpayers with capital gains who invest those gains into a Qualified Opportunity Fund (QOF). A QOF is an investment vehicle that files either a partnership or corporation federal income tax return and is organized for the purpose of investing in Qualified Opportunity Zone property. Pursuant to the "Aligning Opportunity Zone Tax Benefits with DC Community Priorities Emergency Act of 2020", the District of Columbia has also acted to establish certain tax benefits for DC taxpayers with capital gains who invest those gains into an approved DC QOF.

The District of Columbia Opportunity Zone Tax Benefits available to a DC taxpayer, if the taxpayer meets certain criteria, are: (1) a deferral of a capital gains tax payment for investing in a QOF; (2) a reduction of capital gains tax liability through a 10% step-up in basis, if invested in a QOF for 5 years prior to December 31, 2026, and an additional 5% step-up in basis, if invested in a QOF for 7 years prior to December 31, 2026; and (3) an abatement of capital gains tax on an investment of capital gains in a QOF for at least 10 years before December 31, 2047.

DC taxpayers seeking the capital gains tax deferral, reduction or abatement at the District level must invest in a QOF that: (1) is a QOF approved by the District of Columbia Government; and (2) has invested at least the value of the taxpayer's investment in the QOF in eligible Qualified Opportunity Zones Businesses (QOZBs) or Qualified Opportunity Zones Business Property (QOZBP) in the District of Columbia.

The District taxpayer investor will need to submit a DC QOF Approval letter issued by the Office of the Deputy Mayor for Planning and Economic Development (DMPED) with their tax returns, along with IRS Forms 8996 and 8997 for the tax year for which the taxpayer is seeking the benefits. The taxpayer must also submit other relating federal forms, if applicable, such as federal forms 8949, 4797, and federal Schedules K-1 and Schedule D, including any other information that OTR may require to administer the benefits.

If you have capital gain deferred on your federal return due to an investment in a Federal Qualified Opportunity Fund, add back the amount of the deferral on Line 7 of the D-65 return.

If you have capital gain deferred due to an investment in a DC approved DC Qualified Opportunity Fund, subtract the amount of the deferral on Line 21 of the D-65 return.

See DC Code §§ 47-1801.04(39)(A), (39)(B), (39)(C), (39)(D); and 47-1803.03(a)(20). For more information about the Qualified Opportunity Funds approval process and eligible investments, contact DMPED at DCQOF@dc.gov or (202) 727-6365. To apply for DC approved Opportunity Zone Tax Benefits, visit [OZMarketplace.dc.gov](https://www.OZMarketplace.dc.gov).

DC Apportionment Factor

All businesses other than financial institutions engaging in a trade or business both in and outside of DC must use the single sales factor formula to apportion its business income. Businesses domiciled in DC and not subject to tax elsewhere must report 100 percent of their non-business income to DC. Businesses carrying on a trade or business in DC and other jurisdictions must apportion trade or business income to DC. Multiply the total income by a fraction. The numerator is the partnership's total sales in DC during the tax year. The denominator is the partnership's total sales everywhere during the tax year. Sales other than sales of tangible personal property shall be apportioned to the District by using the market-based sourcing rules.

Report the DC apportionment factor on Schedule F, Line 2, page 2 of Form D-65.

Note: DC Apportionment Factor shall not be rounded; however, truncated to six decimal places.

Amended returns

You must use the Form D-65 of the year you are amending. Prior year forms can be obtained from [MyTax.DC.gov](https://www.mytax.dc.gov). Fill in the 'Amended Return' oval on page 1 of the D-65 and complete the 'Tax Period Ending' box. If the IRS adjusts your federal return or if you file an amended federal return, you must file an amended DC return within 90 days.

Mail the amended return and any attachments to the Office of Tax and Revenue, 1101 4th Street, SW, FL4, Washington, DC 20024.

Final return

If you are not required to continue filing a return for this entity, fill in the "final return" oval on the return. We will then cancel your filing requirement.

Items exempt from tax

All items of income received and claimed as exempt from tax must be explained in a copy of the Schedule K of the federal Form 1065. Attach the copy to your DC Form D-65. Some items of this type are:

- (1) Tax-Free Interest. Attach a statement reporting interest on:
 - (a) obligations of a state, territory of the United States or any political subdivision thereof, or DC; and
 - (b) obligations of the United States, its agencies, or instrumentalities.
- (2) Proceeds from life insurance policies. In general, the proceeds of life insurance policies paid to the partnership due to the death of a partner are exempt. However, if any part of the proceeds is held by the insurer under an agreement to pay interest, the interest is taxable.

Information at source

Every partnership which in the course of its trade or business, during calendar year 2020, pays (1) interest, rents, commissions, or other fixed or determinable income of \$600 or more, or (2) salaries and wages of \$600 or more, must submit copies of federal Forms 1095 and 1099 unless the payment is specifically exempted by District of Columbia Municipal Regulations (DCMR) Rule 9-111.

No Remittance Due

The D-65 Partnership Return is considered to be an information return which means no remittance is due or should be tendered with the D-65 return, or form FR-165 extension request. If taxes are due as a result of any activity associated with a partnership, then a D-20 (DC Corporation Franchise Tax Return), a D-30 (DC Unincorporated Business Franchise Tax Return), or a D-40 (DC Individual Income Tax Return) with Federal Schedule C and/or SE, must also be filed to report and pay the taxes which are due.

Getting started

Do not cross out the tax year on the 2020 return. If you are not filing a 2020 D-65 Partnership Return, do not use this booklet. Request a booklet for the specific year you are filing by calling our Forms Center at (202) 727-4829, or visit the Customer Service Administration at 1101 4th Street, SW, FL2, Washington, DC 20024. You may also visit our website at MyTax.DC.gov for prior year partnership returns.

Use the same method of accounting on your DC Form D-65 as that used on your federal tax return.

To complete the paper Form D-65, in general you will need:

- Copies of your completed 2020 federal forms as applicable (1065, Schedule K, Schedule K-1, etc.)
- A pen with black ink
- A calculator

Not all items will apply. If an amount is zero, make no entry, leave the line blank.

The return must be filed for calendar year 2020, or other taxable year beginning in 2020, covering the same tax period reported on the return filed with the IRS. Fill in the tax period ending on page 1 as MMDDYYYY.

All entries on the return and attachments are whole dollars only. Do not enter cents. Round cents to the nearest dollar.

Examples:

\$10,500.50 rounds to \$10,501
\$10,500.49 rounds to \$10,500

Taxpayer Identification Number (TIN)

You must have a TIN, whether it is a Federal Employer Identification Number (FEIN), Social Security Number (SSN), Individual Taxpayer Identification Number (ITIN) or Preparer Tax Identification Number (PTIN).

- An FEIN is a valid number issued by the IRS. To apply for an FEIN, get Form SS-4, Application for Employer Identification Number, or get this form online at www.irs.gov/businesses and click on Employer Identification Number (EIN) under Starting a Business. You may also get this form by calling 1-800-TAX-FORM (1-800-829-3676).
- An SSN is a valid number issued by the Social Security Administration (SSA) of the United States Government. To apply for an SSN, get form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213.
- An Individual Taxpayer Identification Number (ITIN) is a valid number

issued by the Internal Revenue Service (IRS). The IRS issues ITINs to individuals who are required to have a U.S. taxpayer identification number but who do not have, and are not eligible to obtain, a Social Security number (SSN) from the Social Security Administration (SSA). ITINs do not serve any purpose other than federal tax reporting.

- The Preparer Tax Identification Number (PTIN) is an identification number issued by the IRS that all paid tax preparers must use on tax returns or claims for refund.


If you are a paid preparer, you are required to have an IRS PTIN issued by the IRS. A PTIN is a number issued and authorized by the IRS to file a return on the taxpayer's behalf.


Filling out the form

To aid us in processing your return, please follow these rules:


Do not print outside the boxes.


Use black ink.
Print in CAPITAL letters. 

Leave a space between words and between words and numbers. 

Write 3s with a rounded top, not a flat top. 

Write 7s without a middle bar. 

Fill in ovals completely.
Do not "✓" or "x" ovals. 

Do not enter cents. Round cents to the nearest dollar. 

Note: Your taxpayer identification number is used for tax purposes only.

Personal information

Complete the personal information as instructed using CAPITAL letters and black ink. Use one block per letter, including using a space between address fields. Please write clearly, otherwise this can delay processing your return.

Third Party Designee

If you want to authorize another person to discuss your 2020 tax return with OTR, fill in the oval in the Third Party Designee block on page 2 of the D-65 and enter the designee's name and phone number. If you want to authorize your paid preparer, enter 'preparer' in the 'third party designee' block.

Filling in the oval gives the designee authorization to:

- Give OTR any information missing from your return;
- Contact OTR for information about processing your return and the status of any refund or payment; and
- Request, receive and/or respond to OTR notices related to your return.

The authorization does not:

- Give the designee the right to receive your refund;
- Bind you to any additional tax liability related to your return; or
- Otherwise represent you before OTR.

This authorization automatically ends on April 15, 2022 (without regard to extensions).

Signature

The return must be signed by a partner or member. If receivers, trustees in bankruptcy, or assignees are in control of the property or business organization, they must sign the return.

When the return is prepared by someone (for compensation) other than a member or an employee of the partnership, they must sign as the preparer at the bottom of page 2 of the DC Form D-65.

Email address

Enter the email address of the person authorized to discuss your 2020 tax return with OTR. This can be the taxpayer, the third party designee, or the paid preparer if you have filled in the oval authorizing the paid preparer to discuss this return with OTR.

Business Name: _____



Taxpayer Identification Number: _____

Schedule F - DC apportionment factor (See instructions.)

Round cents to the nearest dollar. If an amount is zero, leave the line blank.

Carry all factors to six decimal places

	Column 1 TOTAL	Column 2 in DC	DC Apportionment Factor (Column 2 divided by Column 1)
1. SALES FACTOR: All gross receipts of the partnership other than gross receipts from items of non-business income.	\$ _____ .00	\$ _____ .00	_____
2. DC APPORTIONMENT FACTOR: Column 2 divided by Column 1.			_____

A. Date entity was organized (MMYY) _____

B. Fill in your accounting method cash accrual other (specify) _____

C. Number of partners in this partnership _____

D. Is this a limited partnership? YES NO

E. Is this a limited liability company? YES NO

F. Are any partners in this partnership also partnerships or corporate entities? YES NO

G. Is this partnership a partner in another partnership? YES NO

H. Was there a distribution or transfer of property that caused an adjustment of the basis of the partnership's assets under IRC Section 754? YES NO

I. Was a D-65 filed for the preceding year? YES NO

J. Was a 2020 DC unincorporated business franchise tax return (Form D-30) filed for this business? If "YES," enter the name under which the return was filed. YES NO

K. Did you file and pay an annual ballpark fee return? YES NO

L. Have you filed annual federal income tax information return Forms 1099 and 1096? YES NO

M. Did you withhold DC income tax from the wages of your DC employees during 2020? YES NO
If "NO," state reason: _____

N. During 2020, has the IRS made or proposed any adjustments to your federal partnership Form 1065, or did you file amended returns with the IRS? YES NO
If "YES," submit a separate, detailed explanation and an amended D-65 return reflecting the adjustments to: Office of Tax and Revenue, 1101 4th Street, SW, FL4, Washington DC 20024.

- Attach a copy of the Form 1065 with the K-1 and any other schedules you filed.
- Attach a schedule showing the pass-through distribution of income to all members of the partnership.
- If you are filing Form D-65, instead of Form D-30, attach an explanation.

Third party designee To authorize another person to discuss this return with OTR, fill in here and enter the name and phone number of that person. See instructions.
Designee's name _____ Phone number _____

PLEASE SIGN HERE

Under penalties of law, I declare that I have examined this return and, to the best of my knowledge, it is correct. Declaration of paid preparer is based on all information available to the preparer.

Partner or member's signature _____ Date _____

PAID PREPARER ONLY

Preparer's signature (if other than taxpayer) _____ Date _____

Firm name _____

Firm address _____

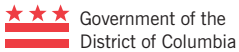
Telephone number of person to contact _____

Paid Preparer's Tax Identification Number (PTIN) _____

If you want to allow the paid preparer to discuss this return with the Office of Tax and Revenue fill in the oval.

Email Address _____

Detach at perforation and mail the voucher to the Office of Tax and Revenue. (See addresses on back)



2020 FR-165 Extension of Time to File a DC Partnership Return



Important: Print in CAPITAL letters using black ink.

KEEP FOR YOUR RECORDS

Taxpayer Identification Number (TIN)

Tax period ending (MMDDYYYY)

OFFICIAL USE ONLY
Vendor ID# 0000

Business Name or Designated Agent name

Fill in if Living or Traveling Outside the U.S.

Business mailing address (number, street and suite/apartment number if applicable)

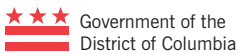
City

State

Zip Code +4

A 6 month extension of time to file until _____ 15, 2021, for calendar year 2020, or until _____, _____, for fiscal year ending _____, is requested.

Revised 04/2020



2020 FR-165 Extension of Time to File a DC Partnership Return



Important: Print in CAPITAL letters using black ink.

Taxpayer Identification Number (TIN)

Tax period ending (MMDDYYYY)

OFFICIAL USE ONLY
Vendor ID# 0000

Business Name or Designated Agent name

Fill in if Living or Traveling Outside the U.S.

Business mailing address (number, street and suite/apartment number if applicable)

City

State

Zip Code +4

A 6 month extension of time to file until _____ 15, 2021, for calendar year 2020, or until _____, _____, for fiscal year ending _____, is requested.

Revised 04/2020

Instructions for Form FR-165 (Partnership)

Do not send any payment with this form.

Purpose

Use Form FR-165 to request a 6-month extension of time to file a Partnership Return of Income (Form D-65).

When to file

The request for an extension of time to file must be submitted no later than the due date of the return.

Where to submit your request

Mail the completed FR-165 to:
Office of Tax and Revenue, 1101 4th Street, SW, FL4, Washington, DC 20024

Extension of time to file

A 6-month extension of time to file will be allowed if you complete this form properly, and file it on time. When you file your return (D-65), attach a copy of the FR-165 which you filed. A separate extension request must be filed for each return. Blanket requests for extensions will not be accepted.

Federal extension forms

The Office of Tax and Revenue does not accept the federal application for an extension of time to file. **You must use DC Form FR-165.**

Additional extension of time

No additional extension of time to file will be granted beyond the 6-month extension unless the taxpayer is outside the continental limits of the United States. In that case, an additional extension up to 6 months may be granted, but in no case shall such extension be granted for more than one year.

Key Website Resources

DC Official Code

www.lexisnexis.com/hottopics/dccode/

DC Regulations

www.dcregs.dc.gov/

US Department of State Tax Exemption Cards

www.state.gov/ofm/tax/

DC Tax Forms/Publications

MyTax.DC.gov

Mailing Address for Returns

MyTax.DC.gov

Electronic Funds Transfer (EFT) Guide

MyTax.DC.gov

NACHA Guidelines

www.nacha.org/

Social Security Administration

www.ssa.gov/

Internal Revenue Service

www.irs.gov

Need assistance?

File or pay online: MyTax.DC.gov.

Get tax forms Download forms at MyTax.DC.gov. Request forms by mail: 202-727-4829

Pick up forms:

Office of Tax and Revenue

1101 4th St SW 2nd Floor
8:15 am–5:30 pm

Ask tax questions

Visit our Walk-In Center, 1101 4th St SW 2nd Floor; or
Contact our Customer Service Administration: 202-727-4TAX(4829)

Regular hours

8:15 am–5:30 pm
Monday–Friday

Do you need help with this form?

Visit our Walk-In Center, at 1101 4th St SW 2nd Floor.

Are you unable to hear or speak?

Call the DC Relay Service,
202-727-3363.

[Spanish] Si necesita ayuda en Español, por favor llame al [\(202\) 727-4829](tel:2027274829) para proporcionarle un intérprete **de manera gratuita**.

[Vietnamese] Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi [\(202\) 727-4829](tel:2027274829) để chúng tôi thu xếp có thông dịch viên đến giúp quý vị **miễn phí**.

[French] Si vous avez besoin d'aide en Français appelez-le [\(202\) 727-4829](tel:2027274829) et l'assistance d'un interprète vous sera **fournie gratuitement**.

[Amharic] በአማርኛ አርዳታ ከፈለጉ በ [\(202\) 727-4829](tel:2027274829) ይደውሉ። የገንዘብ አስተርጓሚ ይመደብዎታል።

[Korean] 한국어로 언어 지원이 필요하신 경우 [\(202\) 727-4829](tel:2027274829) 로 연락을 주시면 **무료로** 통역이 제공됩니다.

[Chinese] 如果您需要用(中文)接受幫助，請電洽 [\(202\) 727-4829](tel:2027274829) 將**免費**向您提供口譯員服務。