

**Due Date:** April 15 or 105 days after the end of the fiscal period. **Mail To:** Tax Department, P.O. Box 862, Findlay, Ohio 45839-0862.

**Who Must File:** Any person, business, or entity that conducted business in Findlay must file, even if no tax is due. Non-resident individuals who worked in Findlay and resident individuals must file if all their tax was not withheld. Please file if the Tax Department sent you a tax form.

**Who Does Not Have to File:** Non-resident individuals who work in Findlay do not need to file if all their tax has been properly withheld by their employers. If your only source of income is from Social Security and pensions, you do not need to file. Please file if the Tax Department sent you a tax form, even if to inform us that you have no taxable income. A resident individual who filed a 2007 “even” return in which all the tax was withheld, does not have to file for 2008 if all the 2008 Findlay tax was withheld.

**Who Must Pay the Tax:** Your income is taxable by Findlay when you reach age 16 and you live or work in Findlay. If you live inside the Findlay corporation limits your income is taxable by Findlay regardless of where you work or conduct your business.

**Filing Status:** Please file a joint return even if you filed separate Federal returns. Both names must appear in the address box.

**Payment:** Make checks payable to: **City of Findlay**. There is a \$25.00 fee for returned checks.

**Extensions:** Extensions are granted if a written request or a copy of the Federal extension is received by the Findlay Tax Department by the original due date of the tax return. Timely filed extensions cover the late filing penalty and the late payment penalty. Interest will be charged on tax not paid by the original due date. Please attach a copy of the Federal extension request when your return is actually filed.

**Taxable Income:** Babysitting fees, W-2 box 5 Medicare wages, tips, salaries, commissions, bonuses, incentive pay, severance pay, vacation pay, ordinary income portions from stock options even if not reported in W-2 box 5, strike pay, net housing allowance, jury duty fees, director’s fees, union steward fees, executor’s fees, lottery winnings over \$600, 1099-MISC, business, farm, rental, ordinary gains on sales of business property [ORC 718.01(A)], residents’ covenants not to compete, guaranteed payments, resident owners’ untaxed distributive shares from partnerships and S corporations etc., income from college-university work-study programs etc., IRC 3402(o)(2)(A) supplemental unemployment compensation. This list is not exhaustive.

**Non-taxable Income:** Active and reserve military pay, alimony, interest, dividends, Social Security benefits, workers’ compensation, government-paid unemployment benefits and other government aid, pensions and qualified retirement benefits, 1099-R, IRC 125 cafeteria plan contributions, intangible income, capital gains (losses not deductible), non-qualified pension plan distributions reported on a W-2, gambling winnings (losses not deductible), proceeds from life insurance and inheritance, limited partner’s LP distribution, royalties derived from intangible property, patent and copyright income, first \$100 of annual precinct election official income, IRC 3402(o)(2)(C) sick pay not reported in box 5. Income earned while under age 16 is not taxable.

**Wages:** Assuming your employer has withheld properly, generally use the W-2 box 5 Medicare wages and tips. Use box 18 if you are a public employee or an employee of a public school, college, or university. If your income is from a college-university work-study, internship, or grant program and box 5 is blank, use box 1. Do not use box 1 unless it is the highest amount on the W-2 and you are not participating in a non-qualified deferred compensation plan or a third-party sick-pay plan. Your contributions to deferred compensation plans [such as 401(k)] are taxable. Your income from these plans is not taxable. See ORC 718.03 for a definition of taxable wages for Ohio communities. Stock options are taxable; see “Taxable Income” above.

**If You Moved:** Indicate the date(s) you moved on the tax form. Please write the dates you worked for each employer on your W-2s.

### Filing Instructions

**Line 01:** Findlay City Income Tax withheld from your wages. (Amount in box 19 of each W-2, if box 20 is “Findlay”).

**Line 02:** Because Findlay’s tax rate is equal to or lower than most surrounding municipalities, the credit can usually be calculated using the following equation: (income earned in other city x .005). If you were a Findlay resident for any period of time in 2008 and during that time you worked and/or earned a profit and paid tax to another municipality, you are allowed a non-refundable tax credit equal to 50 percent of the amount obtained by multiplying the lower of the tax rate of the other municipality or of this municipality by the taxable income earned in or attributable to the municipality of employment or business activity. You must provide proof that you paid tax to the other municipality. The credit is granted only on income that is subject to Findlay tax. No credit is available for tax that was, will be, or can be refunded to you.

**Line 03:** Total your estimated payments for the tax year. Please do not round this figure.

**Line 04:** Enter your overpayment transferred from last year, unless it is less than \$4.99. Please do not round this figure.

**Line 05:** Add lines 1 through 4. Please do not round this figure.

**Line 06:** Enter your taxable wages. See “Wages” above. Findlay residents should include all wages regardless of where the wages were earned. Please indicate the number of W-2s you attached.

**Line 6a:** For non-residents and part-year residents only. This line is for a non-resident who had Findlay tax withheld, but may have performed duties outside the city limits during the tax year. This line may also be used by a part-year resident who may have had Findlay tax withheld even during the time period in which he/she was not a Findlay resident and worked outside the city. You must provide a signed statement from your employer or immediate supervisor. See the “Non-resident Employee Refund” form at [www.ci.findlay.oh.us](http://www.ci.findlay.oh.us) for this purpose.

**Line 07:** Record your profits or (losses) from business activities. Findlay residents must include all profits regardless of where the businesses are/were located.

**Line 08:** Record your profits or (losses) from rental properties. Your gross monthly rental charge for all properties combined must exceed \$300 before the profit is taxed or the loss is acknowledged. Findlay residents must include all profits regardless of where the rental properties are/were located. Non-residents should include only profits and/or losses from rental properties that are within the Findlay corporation limits. See Article III(A)(6)(c)(.1)(.08) of the Rules and Regulations. Federal passive activity loss limitations do not apply to the Findlay return. See Article III(A)(7)(b) of the Rules and Regulations for farm and commercial properties. See 718.01 of the ORC for capital gains and losses.

**Line 09:** Enter profits or (losses) from Federal Schedule F or Federal Schedule E line 40.

**Line 10:** Include other miscellaneous income such as babysitting, lawn mowing, and Federal Form 1099-MISC, etc. Please attach a short explanation of the type of income you reported. Do not include government-paid unemployment, interest, dividends, Form 1099-R income, pensions, annuities, Social Security benefits, IRA distributions, or alimony.

**Line 11:** The carry-forward loss is limited to five years. Please attach a carry-forward loss worksheet.

**Line 12:** If you itemized your deductions on your Federal Tax Return, and completed Form 2106, you may reduce your Findlay income by the amount transferred to your Schedule A from Form 2106 (2106-EZ). Some exceptions may apply. If you were not a Findlay resident during the year, adjust this figure to reflect only the expenses you incurred while working in Findlay. You **must** attach your Federal 1040, Schedule A, and Form 2106. The credit allowed for tax paid to other cities and villages must be correspondingly reduced for expenses incurred in other cities or villages. Expenses can be deducted only if they were incurred to produce income that is taxable by Findlay.

**Line 13:** Total lines 6 through 12.

**Line 14:** The tax liability is 1 percent (.01) of the amount on line 13.

**Line 15:** If the return is filed on April 16 or later (without an extension on file), a \$10 late filing penalty will apply. For taxpayers on a fiscal year, the return is late if filed 106 days after the end of the fiscal period or later.

**Line 16:** The late payment penalty is 1.5 percent (.015) of the unpaid tax for each month the payment is late or \$10, whichever is greater. A payment made after April 15, but before May 16 is considered one month late. A payment made after May 15, but before June 16 is considered two months late, etc.

**Line 17:** Add lines 15 and 16.

**Line 18:** The interest is calculated at 1.5 percent (.015) of the unpaid tax for each month the payment is late. Use the simple interest equation: (interest = unpaid tax x .015 x number of months late). The definition of a late payment also applies to estimate payments that should have been made, but were not. If you did not make any estimate payments, but you should have, multiply your total tax due by 11.25 percent (total tax due x .1125). On April 15, 2009, your first period 2008 estimate payment that was due April 15, 2008 will be 13 months late. The second period estimate payment will be 9 months late. The third period estimate payment will be 6 months late. The fourth period estimate payment will be 3 months late.

**Line 19:** Add lines 14, 17, and 18.

**Line 20:** If your total on line 19 is more than you paid (line 5), calculate the difference and enter the result here. This is the amount you owe. If this amount is less than \$5, no payment is needed.

**Line 20a:** Indicate the amount of the payment you have enclosed. Please do not send cash or coins. Make checks payable to: **City of Findlay**. Please do not attach your check to your form.

**Line 21:** If the amount you paid (line 5) is greater than your total on line 19, calculate the difference and enter the result here. This is the amount you overpaid. If this amount is less than \$5, no refund will be issued, nor will a credit be allowed.

### Estimate Payment Requirements

The tax is due on the estimate payment due dates as you earn the income throughout the year. You are required to make estimate payments if your 2009 tax due after withholding will be more than \$99. April 15<sup>th</sup> of each year is the due date for filing the return and comparing your annual tax liability with what has already been paid. The estimate payment due dates for individuals are April 15, July 31, and October 31, 2009, and January 31, 2010. The due dates for businesses are April 15, June 15, September 15, and December 15, 2009. Fiscal-year businesses have comparable due dates that relate directly to their fiscal period. Your goal should be to pay 100 percent of your 2008 tax due or 90 percent of your 2009 tax due. If you do not make timely estimate payments, you will be charged interest at an annual rate of 18 percent.

### Partnerships, S Corporations, Limited Liability Companies, etc. and Their Owners

If a partnership, limited partnership, S corporation, LLC, or association owns rental properties, conducts business, performs services, solicits sales, operates, or maintains an office in Findlay, the tax is imposed first on the entity based on the income that is apportioned to Findlay. Resident individual shareholders (to the extent apportioned within Ohio), general partners, and members must then report their untaxed distributive shares. Losses are treated identically. For example, 78 percent of a pass-through entity's \$30,000 loss is apportioned to Findlay. The pass-through entity has five individual owners who share losses equally. The entity is required to file a return and report a loss apportioned to Findlay of \$23,400 (\$30,000 x 78%). Each resident individual general partner, member, or S corporation shareholder is permitted to report a loss of \$1,320 (\$30,000 x 20% share x 22%).

An association means a partnership, limited partnership, LLC (recognized or taxed as a partnership by the IRS), LLP, or cooperative; or a form of unincorporated entity owned by two or more persons. Association also means an LLC owned by only one entity that is not an individual. An LLC owned by one individual is a sole proprietorship. A grantor, living, family, revocable, or intervivos trust, for which the IRS does not require a Federal identification number, is not considered a separate entity distinguishable from the individual or the beneficiary.

### Required Federal Forms

All Federal forms and schedules that relate to or support the Findlay form must be attached before the filing will be acknowledged.

### Where to Mail Returns and Payments, How to Get Assistance

The information contained in these instructions is not intended to discuss all provisions in the Income Tax Ordinance of the City of Findlay, No.1976-106, as amended. For assistance, call 419-424-7133 or visit the tax office in room 115 of the Findlay Municipal Building. Office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. Fax: 419-424-7410. Internet: [www.ci.findlay.oh.us](http://www.ci.findlay.oh.us). Mail forms to: Tax Department, P.O. Box 862, Findlay, Ohio 45839-0862. Make checks payable to: City of Findlay.