City of Columbus
Income Tax Division

Instructions for Form BR-25J

Joint Economic Development District (JEDD) Columbus Business Return

For use in preparing
2010 Returns

Columbus Administers for:

North Pickaway County JEDD	2.5%
Prairie Township JEDD	2.5%

Businesses conducting activities within these areas are liable for the income tax at the rates shown above. These instructions are applicable to those JEDDs listed for which Columbus administers the tax.

If you have any questions about completing any of our forms and/or need tax forms, please call (614) 645-7370. **All forms and instructions are also available on-line at *www.columbustax.net*.**

By Whom This Form is to be Used.

**Associations (including Partnerships, Joint Ventures, etc.)*
**Corporations (including S-Corporations)*
**Fiduciaries - Estates and Trusts (including Grantor Trusts)*

The following business enterprises must file an annual return on form BR-25J and a Declaration of Estimated Tax for the current year on form BR-21J:

1. **ASSOCIATIONS** deriving income from work done or services performed or rendered and business conducted in the North Pickaway County JEDD or the Prairie Township JEDD. Taxable income for Associations with special allocations of ordinary income will be based on positive partner allocations before negative partner deductions.

2. **CORPORATIONS and FIDUCIARIES (ESTATES, TRUSTS and GRANTOR TRUSTS)** deriving income or losses from work done or services performed or rendered and business conducted in the North Pickaway County JEDD or the Prairie Township JEDD. All taxpayers engaged in business, including S-Corporations and Partnerships, must file an annual return even if a loss is claimed on the business. A declaration of estimated city income tax is also required for all business entities.

When a Return is not Required.

Nonprofit businesses (as defined in I.R.C. §501(c)) are not required to file an annual city tax return if a copy of the organization's approved I.R.S. determination letter is on file with the City. However, should such a business have unrelated business income (as defined in I.R.C. §512), said business is required to file a city income tax return and pay tax thereon.

Tax exempt activities: if you are in an exempt status per O.R.C. §715.013 (such as banks, trucking, insurance companies or dealers in intangibles) please provide documentation designating your exempt status.

NOTE *Associations whose only activity is as an investment club must file a city income tax return, even though profits earned from this kind of enterprise are non-taxable.*

When and Where to File This Return

This return must be filed on or before the fifteenth day of the fourth month following the close of the tax year. For calendar year taxpayers, this means the return is due April 15th.

An extension of time until October 31st to file will be granted provided an extension request has been filed with the Income Tax Division by the original due date of the return. A copy of your Federal extension will be accepted if:

1) no payment is required to be made with the extension request; and
2) it is received by the City prior to the original due date of the return.

If payment is due with your extension request, it should be made using City Extension Form BR-42J. If you are unable to pay any taxes owed, you should still file your return timely to avoid late filing charges.

The Columbus Income Tax Division is located at 50 W. Gay Street, 4th Floor, Columbus, Ohio 43215.

Make payable to: **CITY TREASURER**
Mail to: Columbus Income Tax Division
PO Box 182158
Columbus, Ohio 43218-2158

Payment and Refunds.

If the full amount of the business tax liability is not paid by remittance of the estimated tax for the North Pickaway County JEDD or the Prairie Township JEDD the income tax, any unpaid balance should be filed and paid by the due date, unless the balance due is less than $1.00.

Refunds due to an overpayment of estimated tax or payments made on your behalf by an association may be requested, providing any overpayment is greater than $1.00 and you have checked the refund box in the upper right section of the BR-25J and/or recorded the refund amount properly on Line 6B.

No refund or carryforwards of overpayment to subsequent years shall be allowed unless a written request is presented to the Administrator of the Columbus Income Tax Division within three (3) years after the tax was due or the return was filed, whichever is later, as defined in O.R.C. §718.12(A).

Mail refunds to: **Columbus Income Tax Division**
PO Box 182437
Columbus, Ohio 43218-2437

Penalties and Interest.

Penalties are provided by ordinance for failure to file and pay tax due on a required return, for filing late and for filing a false or fraudulent return.

NOTE

Corporations, associations, trusts and estates located within or doing business within the North Pickaway County JEDD or the Prairie Township JEDD will incur a penalty of $25.00 per month up to a maximum of $150.00 per applicable city for failing to file this return in a timely fashion.

All taxes due to the North Pickaway County JEDD or the Prairie Township JEDD remaining unpaid after they become due shall bear interest at the rate of .33% per month. For possible changes to the interest rates, please contact the respective municipality for its current interest rate. In addition to any interest assessments, a penalty of 10% of the amount of the unpaid tax shall be assessed by all municipalities.

Period Covered by This Return.

Returns are required to cover the same period covered by your Federal income tax return. Exception: Corporations that change from a C-Corporation to an S-Corporation (or vice versa) during a tax year may combine both Federal short-year periods (calculated separately) on one City return since the City does not recognize S-Corporation status.

What is Taxable Income?

All of the JEDDs for which Columbus administers the income tax impose a tax only on the portion of the allocated net profits from business or professional activities conducted within their boundaries. Net operating loss carryforwards and carrybacks are not permitted. In addition, the following applies:

A. **In the case of RESIDENT and NONRESIDENT ASSOCIATIONS** {PARTNERSHIPS, LIMITED PARTNERSHIPS, AND LIMITED LIABILITY CORPORATIONS (LLCs) treated as partnerships for Federal income tax purposes}:

All the JEDDs in our collection require that the partnership (or LLC) pay all tax due on behalf of all affected partners. Guaranteed payments to partners and positive distributions to partners from special allocations must be included in net profits.

B. **In the case of CORPORATIONS** {including S-CORPORATIONS and LIMITED LIABILITY COMPANIES (LLCs) treated as corporations for Federal income tax purposes} AND FIDUCIARIES (ESTATES AND TRUSTS, including GRANTOR TRUSTS): all of the JEDDs for which Columbus administers the tax require that the corporation or fiduciary pay all tax due on their taxable income. Sub-Chapter S Corporations are taxed as regular C Corporations for city tax purposes, and must adjust their income accordingly.

Income From Associations (Partnerships, Joint Ventures, etc.)

If you are a member of and have received income and/or incurred a loss from two (2) or more associations, you may combine the income and losses from those associations to the extent said income or loss is reportable for municipal tax purposes to the same taxing district.

Consolidated Returns (Corporations Only)

An affiliated group of corporations may file a consolidated income tax return if that affiliated group for the same tax reporting period filed a consolidated return for federal income tax purposes. Only those members of the affiliated group that are conducting business within the JEDD are subject to the tax shall be allowed to deduct a loss from the gain of another corporation in the group having a taxable profit. The operations of only those members of the affiliated group that are conducting business within the JEDD and are subject to the tax may be taken into consideration in computing net profits or the business allocation percentage formula of another. You are required to attach a separate Schedule X and Y for each entity operating in our taxing jurisdiction(s) as well as including a copy of each Form 1120 or income statement provided with your consolidated federal tax return.

What to Attach to Your Return.

Partnerships/Associations should attach Pages 1 through 5 of their Federal Form 1065, and copies of all K-1s.

NOTE

Preparers should note each partner's share of city income and city tax paid on each partner's behalf on their respective K-1s.

Corporations should attach copies of Pages 1 through 5 of their Federal Form 1120 or Pages 1 through 4 of their Federal Form 1120S and copies of all K-1s..

Fiduciaries/Trusts/Estates should attach a copy of Page 1 of their Federal Form 1041.

All taxpayers should attach copies of all 1099-MISC forms issued to central Ohio residents and copies of the following if they are attached to their Federal returns: 1) a Schedule of Other Income; 2) a Schedule of Other Deductions; 3) a Schedule of Schedule A Other Costs; 4) Form 8825; 5) a complete Form 4797; 6) Federal Schedule E; and 7) Federal Schedule D.

Completing Form BR-25

Indicate year of tax return with beginning and ending dates. Fiscal year taxpayers use beginning year of the fiscal period as the tax year reported on your attached Federal return.

1. If you received a preprinted form containing incorrect information, make the necessary corrections on the form. If the form is not preprinted, please enter the information in the spaces provided for name, current address and EIN/FID number.

2. Check the appropriate box that corresponds to the filing status of the business. This form is NOT appropriate for Schedule C filers. Schedule C is reportable on Form IR-25J for individuals.

3. If you are anticipating a refund for the year in which you are filing, place an "X" in the box marked **REFUND** located in the upper right section. The requested amount of the refund should appear on line 6B**.**

   If you are amending a tax year, place an "X" in the box marked **AMENDED** which is located in the upper right section and be sure to indicate the tax year that you are amending in the space provided. If you are amending the return based upon an amended return that you filed with the I.R.S., you must include a copy of the Amended Federal Return, including any applicable schedules that pertain to the amendment. If you are filing an amended return based upon an audit that the I.R.S. conducted, you must include documentation pertaining to the audit which must identify when the I.R.S. audit was concluded. Note any changes that were made by the I.R.S. to reduce or increase your taxable income.

4. Complete the box that pertains to the filing of a city return in the previous year, the combined corporate return question and whether or not the account should be inactivated. If your account should be inactivated, provide an explanation. If this is a final return, give the reason why. If you sold the business, provide the name, address and phone number of the purchaser on a separate attachment. Also, indicate if the sale was a sale of assets or of stock.

5. List the city or cities of income where business is being conducted.

6. If the address of the business operation is different from the mailing address, please provide the complete local business address.

NOTE *Mailing addresses, used for postal purposes, cannot be used to determine taxing jurisdictions. If you are unsure where a local address is actually located, please call our office at (614) 645-7370.*

Part A: Tax Calculation

Please complete Page 2 and Schedules E and Z (if applicable) before proceeding to this section.

Column B - Enter all income from net profits of associations (partnerships, joint ventures, etc.) activities (see Schedule E and/or Schedule Z). Entry must **NOT** be less than zero.

NOTE *Unincorporated losses cannot offset corporate income.*

Column C - Enter all income from net profits of corporations and fiduciaries (from Schedule X and/or Schedule Y). Entry must **NOT** be less than zero.

NOTE *Corporate losses cannot offset unincorporated income.*

Column D - Enter total net taxable income from Columns B and/or C.

TAX RATE - Use tax rate as indicated on appropriate city line.

Column E - Enter the tax due - Column D multiplied by appropriate tax rate.

Column F - Enter all JEDD tax paid on your behalf by a partnership in which the business is a partner. Do not enter declaration or estimate payments in this column (see Line 2 below).

Column G - Enter net tax due - Column E minus Column F.

Line 1 - Enter total net tax due from all cities.

Line 2 - Enter all declaration and extension payments made for this tax year, and any overpayment carried forward from your prior year's return. **DO NOT ENTER TAX PAID BY A PARTNERSHIP IN WHICH THE BUSINESS IS A PARTNER ON THIS LINE (SEE COLUMN F ABOVE).**

Line 3 - Subtract Line 2 from Line 1 to arrive at the net tax due. However, if the result is an overpayment, indicate amount with parentheses and carry to Line 6.

Line 4 - Enter penalty, interest and late filing fee, if applicable. All taxes unpaid after April 15th are subject to a 10% penalty. Taxes due and remaining unpaid after April 15th are subject to interest at a rate of .33% per month. The late filing fee of $25.00 per month up to a maximum of $150.00 may apply.

Line 5 - Enter total amount due - Line 3 plus Line 4.

Line 6 - Enter overpayment, if applicable, from Line 5 as a positive number (do not use parentheses).

Line 6A - Enter amount of the overpayment from Line 6 you want **credited** to your next year's tax estimate.

Line 6B **-** Enter the amount of the overpayment from Line 6 that you want **refunded.**

Part B

Complete this section and answer all questions that are contained in this area regarding the corporation.

Paid Preparer Authorization

If the corporation wants to allow the City of Columbus to discuss its 2010 tax return with the paid preparer who signed it, check the "YES" box in the signature area of the return. This authorization applies only to the individual whose signature appears in the "Paid Preparer's Use Only" section of the return. It does not apply to the firm, if any, shown in that section. If the "YES" box is checked, the corporation is authorizing the City of Columbus to call the paid preparer to answer any questions that may arise during the processing of its return. The corporation is also authorizing the paid preparer to:

- Give the City of Columbus any information that is missing from the return,
- Call the City of Columbus for information about the processing of the return or the status of any refund or payment(s), and
- Respond to certain City of Columbus notices about math errors, offsets, and return preparation.

The corporation is not authorizing the paid preparer to receive any refund check, bind the corporation to anything (including any additional tax liability), or otherwise represent the corporation before the City of Columbus.

Schedule X - Reconciliation with Federal Income Tax Return Per O.R.C. §718.

Enter in this section all those items shown on your Federal tax return (Forms 990T, 1041, 1065, 1120, 1120REIT or 1120S) which are non-taxable or non-deductible for city tax purposes. Associations reconciling from Line 1 of the "Analysis of Net Income (Loss)" section of Schedule K of Form 1065 should complete all lines as applicable except Line 4D. Taxes paid by associations on this return are considered to be paid on behalf of the members of the association and should not be deducted on Line 14 of Federal Form 1065 or Line 11 of Federal Form 8825.

Line 1- Income per attached Federal tax return per O.R.C. §718.01(A)(1).

Line 2 A- Items not deductible (from 4J below).

Line 2 B- Items not taxable (from Line 5F below).

Line 2 C- Record excess of Line 2A or 2B.

Line 2 D- Partnership income or loss adjustment (add back a partnership loss or deduct a gain).

Line 2 E- Suspended §179 expense from prior years allowed in this tax year.

Line 2 F- Suspended charitable contributions from prior years allowed in this year.

Line 2 G- Other JEDD taxable income not in Line 1 (such as I.R.C. §291 recalculation of §1250 gain for S corporations or partnerships treated as C corporations per O.R.C. §718.01(A)(1)(g).

Line 3- JEDD net taxable income.

Items not deductible are added to taxable income. They should be entered as follows:

Line 4A - Non-deductible losses incurred from the sale or exchange of capital or other assets per O.R.C. §718.01(A)(1)(c).

Line 4B - Amount equal to 5% of intangible income not attributable to the sale, exchange or other disposition of I.R.S. §1221 property.

Line 4C - Taxes based on net income - includes any state or municipal tax deducted.

Line 4D - Guaranteed payments to partners - applies only if guaranteed payments to partners/members has not been included within net profits under C.C.C. §361.09.

Line 4E - Charitable contributions – All business entities should report any contributions over the 10% corporate limitations in accordance with O.R.C. §718.01 (A)(1)(g). Non-C corporate businesses may carry forward any unused contributions as if they were C corporations. A schedule should be provided to show how your deduction was calculated and identify any portion that was carried forward from prior years. **(Deduction is limited to 10% of city taxable income before consideration for any charitable contribution deduction).**

Line 4F - In accordance with O.R.C. §718.01(A)(1)(g) Non-corporate business entities may be limited to the corporate limitations for I.R.S. §179 expense deduction.

Line 4G- Qualified retirement, health insurance and life insurance plans on behalf of owners/owner employees must be added back as non-deductible under O.R.C. §718.01(A)(1)(g).

Line 4H- Specially allocated expense items or disproportional distributions(applies to associations only).



Partnership expenses or any portion thereof which are specifically allocated to a particular partner or group of partners (such as the Federal §754 Optional Basis Adjustment) may be deducted by the partnership in computing taxable net profits to be reported on the city partnership return. In this situation, the partnership must file all applicable K-1 forms with its return and pay the city tax due from each partner who has net taxable income remaining after the deduction of specially allocated expenses.

Line 4I - Other expenses not deductible (with explanation). Do not include expenses on income earned in other taxing districts (see Line 5E instructions).

Line 4J - Total Additions - add Lines 4A through 4I - carry result to Line 2A.

Items not taxable are deducted from taxable income. They should be entered as follows:

Line 5A - Non-taxable gains from sale or exchange of capital or other assets per O.R.C. §718.01(A)(1)(d).

Line 5B - Interest Income.

Line 5C - Dividend Income.

Line 5D - Income from patents, trademarks, copyrights and royalties related to intangible sources. Do not include royalty income derived from land (timber rights, grazing rights, etc.) which is fully taxable for JEDD tax purposes.

Line 5E - Other exempt income (with explanation).

Line 5F - Total Deductions - add Lines 5A through 5E - carry result to Line 2B.

Distributions from investment partnerships cannot be apportioned. These distributions must be deducted on Line 2D. Distributions that are includable in local taxable income may be added back in Schedule Z.

Calculate adjusted net income (Line 3) and carry result: 1) to Part A, Page 1; 2) to adjusted net income column of Schedule Y if allocation of net profits is required; 3) or to Schedule Z if no allocation is required and you are a member of one or more associations doing business in the city where income is earned.

Schedule Y – Required Calculation of Net Profit for Multi-City Allocation

Provide a completed BR-25J, Schedule Y, to properly allocate your city taxable income. In order to promote uniformity and consistency in the calculation of net profits, it is the City of Columbus' policy to strictly interpret the changes in Ohio Revised Code §718.02. Commencing with tax year 2004, the use of Separate Accounting in the calculation of Net Profits is no longer an available option.

Column A, Line a- For each JEDD listed in which you conducted business, list the average original cost of all real and tangible personal property owned or used by the taxpayer that was situated within the city limits. Include on each line the annual rental on rented and leased real property situated within the city limits multiplied by 8.

Column A, Line b- Divide Column A, Line a by the amount of Line 3. If the amount of Line 3 is zero, enter "n/a" on this line.

Column B, Line a- For each JEDD listed in which you conducted business, list the gross receipts from sales made or services performed within the JEDD limits.

Column B, Line b- Divide Column B, Line a by the amount of Line 4. If the amount of Line 4 is zero, enter "n/a" on this line.

Column C, Line a- For each JEDD listed in which you conducted business, list the wages, salaries and other compensation paid to W-2 employees for services performed within the JEDD limits except compensation exempt from JEDD taxation under O.R.C. §718.01.01.

Column C, Line b- Divide Column C, Line a by the amount of Line 5. If the amount of Line 5 is zero, enter "n/a" on this line.

Column D- For each JEDD listed in which you conducted business, divide the sum of line b for Columns A-C by the number of factors used.

Column E- For each JEDD listed in which you conducted business, multiply the amount shown on Schedule X, Line 3 by the percentage shown in Column D. If the amount is zero or less, enter zero on the appropriate city lines on Form BR-25J, Page 1, Part A, Column C. If Column D is more than zero, enter the amount on the appropriate city lines on Form BR-25J, Page 1, Part A, Column C.

Schedule E - Partnership K-1 Income (or Loss)

Use this section to determine the local taxable income resulting from investments in partnerships, as well as the amount of income or loss distributed or allocated by each of the investment partnerships and the amount of local tax paid by the partnership, if any, on behalf of each partner. It is important that addresses are provided on local activities when they differ from mailing or office addresses at which little, if any, of the actual business activity of the partnership takes place.

Column 4 - Enter total income/loss incurred by each activity listed in Column 1.

Column 5 - Enter total local taxable income/loss that was distributed or allocated to JEDDs in Part A of the BR-25J form.



Local taxable income does not include portfolio income (except parking lot income) or capital gains or losses. Information from this column must be carried over to Schedule Z for separation of income/loss by city and a consolidation of this data with that of the operating association's income/loss before posting to Part A - Column B.

Column 6 - Enter the total amount of the tax remitted by the partnership to the JEDD on your behalf. Contact the Tax Matters Partner if this information is not shown on your Schedule K-1. This information is to be carried to Part A, Column F of Form BR-25J.



When tax was paid to more than one JEDD, please enter the sums involved to the proper city in Part A. Taxes paid on your behalf to a JEDD for which Columbus does not administer the tax cannot be claimed in Column F.

Schedule Z - Partnership K-1 Activity Allocation

For the purpose of completing this schedule, the following definitions are provided:

Investment Partnership - the enterprise in which the primary partnership is an investor (partner).
Primary Partnership - the enterprise for whom the tax return is to be prepared.

Part I: ASSOCIATIONS ONLY

A. Investment Partnership Local K-1 Partnership Income (Loss)
This column is reserved for distributions/allocations from other associations in which this association has an investment. Data for this column is obtained from Schedule E, Column 5.

B. Primary Partnership Apportioned Taxable Income (Loss)
This column is reserved for allocation of income from this association's operational activities. Data is obtained from either Schedule X, Line 3 or Schedule Y. Data must be entered to the JEDD in which the profit or loss was incurred.

C. Local Net Taxable Income(Loss)
Summation of previous two columns. Enter results to Part A, Column B of Form BR-25J by city.

Caution *Entries in this column will be less than zero whenever a loss is incurred. The sum carried forward to Part A should be zero. This is necessary in order to avoid possible offsets of corporate income reported in Column C of Part A. Unincorporated losses cannot offset corporate income (and vice versa).*

Part II: CORPORATIONS AND FIDUCIARIES ONLY

A. Investment Partnership Local K-1 Partnership Income(Loss)
This column is reserved for distributions/allocations from associations in which this corporation or fiduciary is a partner. Data for this column is obtained from Schedule E, Column 5. Enter results to Form BR-25J, Part A, Column B. Caution: Entries recorded in this column will be less than zero whenever a loss is incurred. The figure carried forward to Part A in these situations should be zero. This is necessary in order to avoid a possible offset of corporate income reported in Column C of Part A with unincorporated income reported in Column B of Part A per O.R.C. §718.01(H).

Instructions for Filing Form BR-21 -

Declaration of Estimated Tax and Quarterly Payment Vouchers (Form BR-18)

All business enterprises shall file a declaration setting forth the estimated annual income, together with an estimate of the amount of tax due thereon. The taxpayer's annual estimated tax liability shall be divided by four (4) to determine the amount of tax which should be paid quarterly on an estimated basis.

Filing and Paying

The declaration (form BR-21J) should be filed by the 15th day of the fourth month of your tax year. For calendar year taxpayers, this would be April 15th. The first quarter payment should be submitted with the declaration.

No extensions of time to file or pay will be granted. Eachsubsequent quarterly payment should be filed using one of the vouchers that came with the BR-21J. The second, third and fourth payments are due the 15th day of the sixth, ninth and twelfth month of your tax year. For calendar year taxpayers, the payments are due on the 15th of June, September and December. Each estimated tax payment must show a credit carryforward and/or be accompanied by a payment of at least one-fourth (1/4) of the total estimated tax shown on your declaration.

NOTE *You will receive no further notification of payment due dates from this office. If you need additional payment vouchers, please visit our website at www.columbustax.net and download form BR-18J.*

Make payable to: CITY TREASURER
Mail to: Columbus Income Tax Division
50 W. Gay Street, 4th Floor
Columbus, Ohio 43215

Calculation of Estimate

To be considered as filed in good faith and not subject to penalty and interest charges, your timely estimated tax payments must not be less than **80%** of the total tax liability shown in Column E on your final return. We will also consider timely estimated tax payments equal to your previous year's tax liability as filed in good faith, and thus not subject to penalty and interest. Failure to make timely estimated tax payments will result in penalty and interest assessments. A penalty of 10% and interest (rates vary by city) will be assessed on all estimated tax payments which are underpaid and/or not timely received. If tax is due to more than one JEDD, each city is considered separately in the calculation and payment of a good faith estimate.

Amended Declaration

An amended declaration may be filed by each quarterly due date to increase or decrease the original declaration as deemed necessary. Use form BR-21J and mark the box at the top right portion of the form designated as "AMENDED". If an amended declaration is filed, the balance of the estimated tax, as amended, should be paid in equal installments on or before the remaining payment dates. If no amended declarations are filed, it shall be assumed that estimated income in the amount shown on the original declaration is earned ratably throughout the year. Documentation may be requested to verify the date and nature of unanticipated income resulting in the filing of an amended declaration of estimated tax.

Payment Voucher - Form BR-18

Line 1 - Indicate amount of installment.
Line 2 - Indicate amount of unused credit, applied to installment.
Line 3 - Amount of payment due (Line 1 less Line 2).

Prior Year's Credit

Credit for overpayment of prior year return may be applied entirely to the first installment or apportioned to each installment. Any balance due on each installment must be paid with the installment payment voucher.

THE ORIGINAL DECLARATION MUST ASSIGN ESTIMATED TAX LIABILITY TO THE APPROPRIATE CITIES IN ORDER TO PROCESS QUARTERLY PAYMENT VOUCHERS CORRECTLY.

Please use your pre-addressed declaration forms and vouchers if provided in this tax packet.