

Please staple pages together.



2009

FT 1120S Rev. 5/11
Notice of S Corporation Status

Ohio franchise tax I.D. number
0

Federal employer I.D. number

Based upon calendar year 2008 or other taxable year beginning

0

Ohio charter or license number

North American Industry Classification System (NAICS code)

and ending 8

Use UPPERCASE letters.

S corporation name

Address (if address change, check box)

City State ZIP code

Statutory Agent

Check the box if both the below-reported statutory agent and address are the same as were reported on the 2008 Notice of S Corporation Status.

First name M.I. Last name

Address

City State ZIP code

Corporate Officer Name

Check the box if all of the below-reported corporate officers are the same as were reported on the 2008 Notice of S Corporation Status.

President first name M.I. Last name

Secretary first name M.I. Last name

Treasurer first name M.I. Last name

Each S corporation and each qualified subchapter S subsidiary having a taxable year ending in 2008 must file this notice by June 30, 2009. The due date of this notice does not change even if the corporation has an extension to file the federal form 1120S after June 30, 2009. Filing this notice does not constitute the filing of any return otherwise required by law.

Net profit (loss) per books 00

Check the box if the S corporation had one or more nonresident shareholders during the year.

Mail to: Ohio Department of Taxation
P.O. Box 27
Columbus, Ohio 43216-0027



09150202

2009

FEIN# [ ]

Please check the box if this year's shareholder information either (i) includes names that were not listed on last year's notice or (ii) excludes names that were listed on last year's notice. If you have additional shareholders, attach page 3.

Table with 4 columns: Last name, first name, middle initial; Social Security number/FEIN; % of ownership; Distributive \$ share. Includes address, city, state, and ZIP code fields for two shareholders.

Each S Corporation and Qualified Subchapter S Subsidiary Must Furnish the Following Information

Effective date of S election or qualified subchapter S subsidiary election

[ ]/[ ]/[ ]

Effective date of S termination (if applicable)

[ ]/[ ]/[ ]

During any portion of calendar year 2008, or other taxable year ending in 2008, was this corporation a C corporation other than a qualified Subchapter S subsidiary?

Yes No

If yes, in addition to filing this notice the corporation is subject to the 2009 franchise tax and must also file the 2009 Ohio form FT 1120.

During 2007 or 2008 did a C corporation that was subject to the Ohio franchise tax merge into this S corporation?

Yes No

If yes, the C corporation may be subject to the 2009 "exit tax," or the transferee S corporation may be subject to the 2009 franchise tax on the income of the merged C corporation transferor. See the following: (i) general instruction #7 and the instructions for schedule A, line 9 in the 2009 franchise tax instruction booklet, (ii) Ohio Revised Code sections (R.C.) 5733.06(H) and 5733.053 and (iii) the Department of Taxation's Sept. 24, 1992 information release entitled, "Application of R.C. 5733.053 (Transferor Statute) to the Merger of a C Corporation Into an S Corporation," which is available on our Web site at tax.ohio.gov.

Has the corporation or the Internal Revenue Service redetermined the shareholders' share of any prior year's S corporation income or deductions that have not previously been reported to Ohio?

Yes No

If yes, the shareholders or the S corporation must report such changes to the Ohio Department of Taxation in the form of amended Ohio income tax returns (form IT 1040X, amended form IT 1140 or amended form IT 4708).

I declare under penalties of perjury that this notice (including any accompanying schedule or statement) has been examined by me and to the best of my knowledge and belief is a true, correct and complete notice and that this corporation has not unlawfully, during the preceding year, except as permitted by sections 3517.082, 3599.03 and 3599.031 of the Ohio Revised Code, directly or indirectly paid, used or offered, consented, or agreed to pay or

use any of its money or property for or in aid of or opposition to any political party, any candidate for election or nomination to public office, or any political action committee or organization that supports or opposes any such candidate or in any manner used any of its money or property for any partisan political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used.

An officer or managing agent of the corporation must sign this notice.

SIGN HERE (required)

Signature of officer or managing agent Title Date

Preparer's name (please print) Phone number

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



09150302

2009

FT 1120S Rev. 5/11 Notice of S Corporation Status

FEIN# [ ]

Please check the box if this year's shareholder information either (i) includes names that were not listed on last year's notice or (ii) excludes names that were listed on last year's notice. Enclose additional sheets if necessary.

Table with 10 rows for shareholder information. Each row contains: Last name, first name, middle initial; Social Security number/FEIN; % of ownership; Distributive \$ share; Address; City; State; ZIP code.

## Notice of S Corporation Status General Information

### Who Must File Ohio Form FT 1120S?

Each S corporation must timely file the year 2009 Ohio form FT 1120S if the S corporation met any one or more of the following tests during all or any part of calendar year 2008:

- The S corporation was either incorporated in Ohio or licensed by the Ohio Secretary of State to transact business in Ohio,
- The S corporation was doing business in Ohio.
- The S corporation was using all or any part of its capital or property in Ohio,
- The S corporation otherwise had nexus with Ohio,
- The S corporation owned a qualified subchapter S subsidiary which during all or any part of calendar year 2008 met any one or more of the four tests set forth above, or
- The S corporation either owned a disregarded entity or directly or indirectly had an interest in a pass-through entity if either entity during all or any part of calendar year 2008 was doing business in Ohio, was using all or any part of its capital or property in Ohio, and/or otherwise had nexus with Ohio.

Each Ohio resident is subject to the Ohio individual income tax on the resident's distributive share of income from an S corporation even if the S corporation does no business in Ohio. However, Ohio residents may claim a resident credit for income subjected to income tax in another state.

Each nonresident whose federal adjusted gross income includes a distributive share of income directly or indirectly from an S corporation is subject to the Ohio individual income tax if, for any portion of the period to which the distributive share relates, the nonresident has a distributive share of income from the S corporation and such income is (i) apportioned to Ohio pursuant to division (B) of Ohio Revised Code section 5733.05, (ii) apportioned to Ohio pursuant to Ohio Revised Code section 5747.212, and/or (iii) allocated to Ohio pursuant to Ohio Revised Code section 5757.20. However, Federal Public Law 86-272 may protect some nonresidents from the Ohio individual income tax if the S corporation's Ohio activities do not exceed the activities protected by that law. See information release PIT 2001-02, "Pass-through Entity Tax — Nexus Standards," September, 2001.

If an investor in the S corporation is not a resident of Ohio and if the S corporation has nexus with Ohio, the S corporation must each year also file either (i) an Annual Composite Income Tax Return for Investors in Pass-Through Entities, Ohio form IT 4708 and quarterly Ohio forms IT 4708ES on behalf of, and as agent for, its electing nonresident shareholders or (ii) the Pass-Through Entity

and Trust Withholding Tax Return, Ohio form IT 1140 and quarterly forms IT 1140ES.

### Shareholder Information

If the reporting entity is an S corporation, provide the information below for each resident shareholder and each nonresident shareholder (including estates and trusts) who held stock in the S corporation any time during the S corporation's accounting period ending in 2008. If the reporting entity is a qualified Subchapter S subsidiary, list the name and federal employer identification number of the parent S corporation. If any shareholder is an estate or trust other than an employee stock option plan, also list the name, Social Security number and address of each beneficiary of the estate or trust.

### Distributive Share

The amount in this box should reflect the net amount (income and expenses) that "flows" from the S corporation into the shareholder's federal adjusted gross income. The following are examples (but not all-inclusive) of what should **not** be included in computing the net amount: charitable contributions, health insurance premiums paid on behalf of more than 2% shareholders, and investment interest expenses that are allowable to an individual only as an itemized deduction on Schedule A of IRS form 1040.

### Does Ohio Follow the Alternative Preparer Signature Procedures?

The Ohio Department of Taxation follows IRS Service Notice 2004-54, which provides for alternative preparer signature procedures for IRS income tax paper returns that paid practitioners prepare on behalf of their clients. Except as set forth below, paid preparers must follow those same procedures with respect to the following Ohio paper returns: individual income tax, school district income tax, withholding tax (employer and pass-through entity) and corporation franchise tax. See Ohio Revised Code sections 5703.262(B) and 5747.08(F).

**Exception:** The paid preparer should **print** (rather than write) his/her name on the form if the taxpayer checks "Yes" to the question, "Do you authorize your preparer to contact us regarding this return?"

### Federal Privacy Act Notice

Because we are requesting the Social Security account number for each investor, the *Federal Privacy Act of 1974* requires us to inform you that providing us with the Social Security number is mandatory. Sections 5703.05, 5703.057 and 5747.08 of the Ohio Revised Code authorize our asking you for this information. We need the Social Security number(s) in order to administer this tax.