

2009 IT 1140 Pass-Through Entity and Trust Withholding Tax Return

Federal Employer I.D. Number (FEIN) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input type="checkbox"/> Check box if amended return	Month <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Year <div style="border: 1px solid black; padding: 2px; display: inline-block; text-align: center;">2 0 0 9</div>
For the entity's taxable year beginning			
Name	Schedule C, line 4 – apportionment ratio	Entity Type – Check only one	
Address (if address change, check box <input type="checkbox"/>)	Schedule B, line 1 – total of columns A and B	<input type="checkbox"/> S corporation	
City, state and ZIP code	Total assets	<input type="checkbox"/> Limited liability corporation	
		<input type="checkbox"/> Partnership	
		<input type="checkbox"/> Trust	

1. File this form with the Ohio Department of Taxation by the 15th day of the fourth month following the last day of the entity's taxable year. Please see general instructions for automatic extensions of time to file this return. The due date for payment of tax cannot be extended.
 2. Attach (i) Ohio Schedules B and C or Schedules D and E and (ii) the investor information as indicated on page 9 of the instructions and (iii) Ohio form IT/SD 2210.
- Instructions for this form are on our Web site at tax.ohio.gov.

Schedule A – Reconciliation Tax and Payments

1. Tax for each column (from Schedule B, line 11, Columns A and B or from Schedule D, line 5).....
2. Interest penalty on underpayment of tax if the sum of Columns A and B on line 9 on page 2 exceeds \$10,000 (attach Ohio form IT/SD 2210).....
- 2a. Add lines 1 and 2
3. Ohio IT 1140ES and IT 1140EXT payments the entity or trust made and/or 2008 overpayment credited to 2009 (see Note #1 on page 5)
 - a. Payments transferred from Ohio forms IT 4708ES and IT 4708EXT (attach schedule if required; see instructions) and other payments previously made for this taxable year.
 - b. Payments transferred to Ohio form IT 4708 and refunds, if any, previously claimed for this taxable year
 - c. Net payments (sum of lines 3 and 3a minus line 3b).....
4. For each column, subtract line 3c from line 2a (show negative amounts in parentheses).....
5. If the sum of line 4, Columns (I) and (II), is an overpayment, enter this sum here..... **OVERPAYMENT**
6. Amount of line 5 to be **CREDITED** to year 2010..... **CREDIT**
7. Amount of line 5 to be **REFUNDED** (line 5 minus line 6)..... **REFUND**
8. If the sum of line 4, Columns (I) and (II), above, is a balance due or zero, enter here the amount you owe.....
9. Interest and penalty due on late-paid tax and/or late-filed return, if any
10. Total amount owed (sum of lines 8 and 9). Make check payable to Ohio Treasurer of State and place FEIN on check)..... **TOTAL AMOUNT OWED**

	Column (I) Withholding Tax <small>Whole dollars only</small>		Column (II) Entity Tax <small>Whole dollars only</small>	
1.		00 00		
2.		00 00		
2a.		00 00		
3.		00 00		
3a.		00		
3b.	<	> 00		
3c.		00 00		
4.		00 00		
5.		00		
6.		00		
7.		00		
8.		00		
9.		00		
10.		00		

If you owe less than \$1.01, no payment is necessary. If your refund is less than \$1.01, no refund will be issued.

I have read this return. Under penalties of perjury, I declare that, to the best of my knowledge and belief, the return is true, correct and complete.

Signature of officer or agent of pass-through entity or trust Date Preparer's name (please print)

Title of officer or agent Preparer's address (including ZIP code)

Telephone number Preparer's telephone number

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

Processing Code
Check Amount

Mail to: Ohio Dept. of Taxation P.O. Box 181140 Columbus, OH 43218-1140

Ohio Form IT 1140 for Taxable Years Beginning in 2009

Schedule B: Qualifying Pass-Through Entities – Tax Due

Use this schedule to calculate the adjusted qualifying amounts and tax due for all qualifying investors in qualifying pass-through entities. Please see "Special Notes" beginning on page 3 of the instructions, which are available on our Web site at tax.ohio.gov.

	(A) Qualifying Investors Who Are Nonresident Individuals	(B) Qualifying Investors Other Than Nonresident Individuals
1. Sum of all qualifying investors' distributive shares of income, gain, expenses and losses.....	1. _____ 00	_____ 00
2a. Add 5/6 of qualifying investors' distributive shares of Internal Revenue Code (I.R.C.) section 168(k) bonus depreciation and 5/6 of the qualifying I.R.C. 179 depreciation and miscellaneous federal tax adjustments, if any (see page 5 of the instructions)	2a. _____ 00	_____ 00
2b. Subtract qualifying investors' distributive shares of other statutory adjustments and miscellaneous federal tax adjustments, if any (see page 5 of the instructions)	2b. < _____ > 00	< _____ > 00
3. Qualifying investors' distributive shares of adjusted qualifying amount: Sum of lines 1 and 2a minus line 2b	3. _____ 00	_____ 00
4. Add all qualifying investors' distributive shares of expenses and losses incurred in connection with all direct and indirect transactions between the qualifying pass-through entity and its related members, including certain investors' family members (see Note 2 on page 5). However, do not add expenses or losses incurred in connection with sales of inventory to the extent that the cost of the inventory and the loss incurred were calculated in accordance with I.R.C. sections 263A and 482 (see Note 3 on page 5).....	4. _____ 00	_____ 00
5. If the qualifying pass-through entity is either a partnership or a limited liability company treated as a partnership, add all qualifying investors' distributive shares of guaranteed payments that the qualifying pass-through entity made to any qualifying investor directly or indirectly owning at least 20% of the qualifying pass-through entity	5. _____ 00	_____ 00
6. If the qualifying pass-through entity is an S corporation, add all qualifying investors' distributive shares of compensation that the qualifying pass-through entity S corporation made to any qualifying investor directly or indirectly owning at least 20% of the qualifying pass-through entity. Reciprocity agreements do not apply. See page 6 of the instructions	6. _____ 00	_____ 00
7. Qualifying investors' adjusted distributive shares. Sum of lines 3, 4, 5 and 6, but not less than -0-.....	7. _____ 00	_____ 00
8. Apportionment ratio from Schedule C, line 4 on page 3	8. _____ •	_____ •
9. Qualifying investors' adjusted qualifying amount: Line 7 times line 8. Complete the remainder of this worksheet only if the sum of Columns A and B on line 9 exceeds \$1,000.....	9. _____ 00	_____ 00
10. Tax rate (see Note 4 on page 5)	10. X .05	
11. Tax due: Line 9 times line 10. Please round tax to the nearest dollar. Place the Column A amount on page 1 of Ohio form IT 1140, line 1, Column I; place Column B amount on page 1 of Ohio form IT 1140, line 1, Column II	11. _____ 00	_____ 00

Schedule E: Investor Information

Please provide investor information for **all** investors in the pass-through entity or trust. Use an additional sheet, if necessary. See Note 5 on page 5 for the amount of pass-through entity tax credits.

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

Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code
Last name, first name, middle initial	Social Security number/FEIN	% of ownership	Amount of PTE tax credit
Address City		State	ZIP code

Note 1: Instructions for page 1, Schedule A, line 3. If this pass-through entity or trust has invested in a partnership or limited liability company that also filed Ohio form IT 1140, this pass-through entity or trust is **not** entitled to any payment or credit for this pass-through entity's or this trust's proportionate share of tax paid by that investee partnership or investee limited liability company.

Furthermore, this pass-through entity or trust **cannot** claim such payment as an estimated payment for this pass-through entity's or trust's taxable year. However, the pass-through entity or trust can "pass through" (via the K-1s it will issue) to its qualifying investors or to its qualifying beneficiaries the pass-through entity's or trust's proportionate share of such tax payment that the investee partnership or investee limited liability company paid on behalf of this pass-through entity or trust.

Note 2: Instructions for page 2, line 4. "Related member" is defined in R.C. 5733.042(A)(6) but is modified by R.C. 5733.40(P). For purposes of the line 4 adjustment, a related member is any business entity or person directly or indirectly related to the taxpayer if the direct and indirect ownership interests equals or exceeds 40% of all ownership interests.

Note 3: Instructions for page 2, line 4. Include on this line all compensation paid to or for family member employees if the pass-through entity owner who is a member of family directly, indirectly and/or by attribution owns at least 40% of the pass-through entity. See R.C. 5733.40(A)(3). Do not show on line 6 any amount you show on line 4.

Note 4: Instructions for page 2, line 10, column (B). For those qualifying corporate investors that are **not** listed below, the tax rate for the taxable year beginning in 2009 is 0%; therefore the pass-through entity should pay no tax with respect to these corporations. For those qualifying corporate investors that are listed below and for qualifying investors that are estates, trusts and pass-through entities, compute the tax at the rate of 8.5%. See R.C. 5733.41.

- Financial holding companies as defined in the federal "Bank Holding Company Act."
- Bank holding companies as defined in the federal "Bank Holding Company Act."
- Savings and loan holding companies as defined in the federal "Home Owners Loan Act" that are engaging only in activities permissible under 12 United States Code (U.S.C.) 1843(k).

- Persons, other than persons held pursuant to merchant banking authority under 12 U.S.C. 1843(k)(4)(H) or 12 U.S.C. 1843(k)(4)(I), directly or indirectly "owned" by one or more financial institutions, financial holding companies, bank holding companies, or savings and loan holding companies, but only if those persons are engaged in activities permissible for a financial holding company under 12 U.S.C. 1843(k).
- Persons directly or indirectly "owned" by one or more insurance companies, but only if those persons are authorized to conduct the business of insurance in this state.
- Persons that solely facilitate or service one or more "securitizations" or similar transactions for financial institutions, financial holding companies, bank holding companies, savings and loan holding companies, insurance companies, or persons directly or indirectly "owned" by such businesses.

Definition of "owned" for this purpose: a person "owns" another entity if the person:

- owns at least 50% of the entity's voting stock (corporations);
- owns at least 50% of the entity's membership interests (LLCs);
- OR
- has a beneficial interest in the entity's profits, surpluses, losses or distributions (partnerships, trusts or other business interests).

Definition of "securitization" for this purpose: Transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

If you use multiple rates for column (B), please attach a schedule reflecting the computation of tax for each type of investor.

Fiscal filers: Please use the rate in effect on the last day of the taxable year.

Note 5: Amount of tax credits that will pass through from the qualifying pass-through entity or qualifying trust to each qualifying investor or qualifying beneficiary.