

Instructions for Form W-1040

Individual Return

For use in preparing

2018 Returns

Municipal tax is paid first to the city where work is performed or income earned. Taxpayers may also have an additional tax liability to their city of residence based on how much credit the home city allows for taxes paid to where you work or earn your income.

Whitehall's Tax rate is 2.5%

These instructions are applicable to Whitehall. If you have any questions about completing any of our forms and/or need tax forms, please call (614) 237-9803. **All forms and instructions are also available on-line at www.whitehall-oh.us.**

Do I need to file?

You only need to file if any of the following apply:

1. You filed and paid the previous tax year. A final return is required to inactivate a tax account if you are no longer required to file.
2. All Whitehall residents and part-year residents 18 years of age and older are required to file a tax return. If you are exempt because you are under the age of 18 or only received pension income or military pay you should call and request Form EX-1.
3. All nonresidents of Whitehall who earned income in Whitehall, and Whitehall city income tax was not fully and/or correctly withheld. (Multiply the largest wage figure shown on your W-2 in Box 5 or 18 by the tax rate of the appropriate city above. If the withholding is correct, your result should equal the withholding shown in Box 19 of your W-2).
4. You were a resident of Whitehall and engaged in a business or profession, including rental real estate, whether the business showed a profit or a loss.
5. You were not a resident of Whitehall, but you engaged in a business (including rental real estate)

Can we file a joint return?

A married couple may file a joint return regardless of the filing method used on their federal return. Joint returns must be signed by both spouses and include both social security numbers.

Can I use Form W-1040?

You can use Form W-1040 if you had income taxable to Whitehall. *Corporations (including S-corporations), partnerships, joint ventures, and fiduciaries (estates and trusts) must file using Form W-1120.*

When and where do I file?

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. 2018 returns are due April 15, 2019.

Any taxpayer that has requested an extension for filing their Federal income tax return shall automatically receive the same extension for the filing of the City tax return (attach a copy). Taxpayers who have not received or requested a Federal extension may request an extension from the Income Tax Division provided the request is received before the original due date of the return. An extension of time to file is **not** an extension of the time to pay any tax due.

If payment is due with your extension request, it should be made using our City Extension Form. If you are unable to pay any taxes owed, you should still file your annual return timely with the Income Tax Division.

Mail to: Whitehall Income Tax Division
360 S Yearling Road
Whitehall, Ohio 43213-1894

Make payable to: CITY OF WHITEHALL

Contact information:
Phone: 614-237-9803
Fax: 614-237-7902

www.whitehall-oh.us

What if I file or pay late?

Whitehall imposes penalties and interest on taxes remaining unpaid after April 15th. Thus, if you are unable to pay the full amount of tax owed, you should still file your return along with payment of as much of the tax due as possible.

Are there any special rules for refunds?

Refunds and credit carryforwards resulting from an overpayment of estimated tax or the deduction of employee business expenses may be requested using Form W-1040.

- Refunds due you must be greater than \$10.00 or they will not be issued.
- There is a three (3) year statute of limitations for claiming a refund or credit of any overpayment of city tax.
- **Mail refunds to:** Whitehall Income Tax Division
360 S Yearling Road
Whitehall, Ohio 43213-1894

What is taxable income?

For **RESIDENTS**, taxable income includes all salaries, wages, commissions and other compensation, before any deduction for such things like 401(k) deferrals, regardless of where it was earned. The income is taxable whether paid in cash, property or other consideration, including the reasonable value of meals, lodging and the like. Also, taxable income includes the net profits of all unincorporated businesses such as real estate and equipment rentals, sole proprietorships, trusts and a resident's share of partnership income (whether distributed or not).

These unincorporated business profits are taxable regardless of where the business was conducted. You may be entitled to a credit for taxes paid to the city where your income was earned. If you are a partner in a partnership, you may be entitled to a credit for city taxes paid by the partnership. Such credits shall be allowed only to the extent of the tax assessed per Whitehall City Code Section 184.081. Report in Part B Column F, page 1 of W1040.

For **NON-RESIDENTS**, taxable income includes all salaries, wages, commissions and other compensation, before any deduction for such things like 401(k) deferrals, earned in Whitehall. Taxable income also includes the net profits of all unincorporated businesses such as real estate and equipment rentals, sole proprietorships, and trusts if the business was conducted in Whitehall.

Determine net profits from unincorporated business in accordance with the accounting method used for Federal income tax purposes. Any expenses claimed must be ordinary and necessary. Beginning in tax year 2018, net operating loss carry forwards are permitted but limited per ORC 718.01. "Net Operating Loss" means a loss incurred by a person in the operation of a trade or business. "Net operating loss" does include unutilized losses resulting from basis limitations, at-risk limitations, or passive activity loss limitations. Passive activity losses are deducted the year allowed for federal tax purposes.

If you are engaged in two or more unincorporated businesses in the same city, the net loss of one unincorporated business may be used to offset the profits of another for purposes of arriving at overall net profits from unincorporated businesses for that city. **Income from pass-through entities shall not be reflected on your individual non-resident return for**

Tax Year 2018 per Ohio Revised Code Section 718.01(B)(1)(d).

City taxable income does not include proceeds of insurance policies if the employee paid all the premiums. City taxable income also does not include compensation for personal injury and property damages. Expenses, costs, and losses incurred in connection with income not subject to city income tax may not be used to reduce your city taxable income.

What is taxable "Other Compensation"?

1. Bonuses.
2. Compensation paid in property or the use thereof at fair market value to the same extent as taxable for federal tax purposes and so indicated on the W-2 form.
3. Contributions made by or on behalf of employees to a qualified deferral plan (401K and the like) - taxed in year earned, deferral not permitted. Exception: employer matching contributions offered under a cafeteria plan are not taxable. Deferrals even under a cafeteria plan are always taxable.
4. Contributions made by or on behalf of employees to a tax-deferred annuity or stock purchase plan (includes any plan where employee has the option to defer).
5. Contributions made by or on behalf of employees to a non-qualified deferred compensation plan.
6. Cost of group term life insurance over \$50,000.00 (unless part of a cafeteria plan).
7. Director's fees.
8. Adoption assistance payments (unless part of a cafeteria plan).
9. Excess employee discounts.
10. Golden parachute payments.
11. Income from guaranteed annual wage contracts.
12. Income from jury duty.
13. Income from wage continuation plans (includes retirement incentive plans and buy-outs).
14. Income received as a result of a covenant or agreement not to compete, which relates to employee wages.
15. Interest on below market loans.
16. Moving expense reimbursements (follow Federal rules but non-reimbursed expenses are not deductible).
17. Pre-retirement distributions from retirement plans (except previously taxed income from deferred plans).
18. Prizes, awards and gifts - if connected with employment.
19. Profit Sharing.
20. Royalties (unless derived from registered copyrights, patents or trademarks).
21. Severance pay.
22. Sick and/or vacation pay.
23. Stipends - if work required (vow of poverty not recognized).
24. Stock bonus incentive plans.
25. Stock options.
26. Strike benefits paid by employer.
27. Supplemental unemployment paid by employer.
28. Taxes paid by employer on employee's behalf.

29. Tips.
30. Union steward fees.
31. Clergy income per Ohio Revised Code §718.01(R)(2)(e).
32. Gambling Winnings. Losses may not offset winnings.
33. Prizes and winnings from sweepstakes.



This list is intended for reference purposes only. It may not be all inclusive and is subject to revision without notice.

What are unincorporated businesses?

- a) Sole proprietorships – Schedule C, Federal Form 1040
- b) Rental properties - Schedule E, Federal Form 1040
- c) Partnerships, Joint Ventures and other type associations (These businesses file their own returns using Form W-1120; however, you must report your share of their city taxable income on your individual return if you are a partner).
- d) Farm Net Income - Schedule F, Federal Form 1040

What income is not taxable?

1. Alimony.
2. Annuities - at time of distribution.
3. Capital gains.
4. Dividends.
5. Government allotments.
6. Exempt rental allowance for clergy per IRS.
7. Income earned while under 18 years of age.
8. Income of religious, fraternal, charitable, scientific, literary or educational institutions to the extent that such income is derived from tax-exempt real estate, tax-exempt tangible or intangible property or tax-exempt activities.
9. Insurance benefits - unless your employer paid the premiums. (Pro-rating is allowed if you paid a portion of the premiums).
10. Interest.
11. Long-term disability payments paid after 1/1/04.
12. Meals and lodging required on premises.
13. Military pay including reserve pay.
14. Nonresident subchapter S corporation income to a resident shareholder (effective 1/1/03) is no longer subject to the tax.
15. Patent and copyright income.
16. Pension income - includes lump sum distributions.
17. Prizes - unless connected with employment.
18. Royalties - if derived from intangible property.
19. Short-term disability payments paid after 7/1/07.
20. Social Security benefits.
21. State unemployment benefits.
22. Welfare payments.
23. Worker's Compensation.
24. Income from serving as a precinct election official less than \$1,000.



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Can I reduce my taxable wages with unincorporated business losses?

No. Whitehall does not allow the net loss from an unincorporated business to be used to offset wages, salaries, commissions or other compensation.

Completing Form W-1040

1. If the form is not preprinted, please enter the information in the spaces provided for name, current address and SSN. If you are filing a joint return, provide your spouse's name and social security number also.
2. 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** and be sure to indicate the tax year that you are amending in the space provided. If you are amending the City 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 City return based upon an audit that the I.R.S. conducted, you must include documentation pertaining to the audit and note any changes that were made by the I.R.S. to reduce or increase your taxable income.
3. Indicate your filing status.
4. If you moved, enter the date of your move. Attach a statement to your return indicating your former address. If you are allocating your income as a result of your move, you will need to attach documentation to your return explaining the allocation (such as a copy of a paystub dated close to your move date).
5. If you are requesting that your account be inactivated, indicate the reason (taxes fully withheld by employer (nonresidents only), sold business or rental property, etc.) and attach supporting documentation such as Federal Form 1040, W-2P or Statement of Social Security Earnings.
6. If you are requesting that your account be inactivated due to your moving from the jurisdiction with no intent to return, although retaining a mailing address within the jurisdiction as your address of record, please enter the date of your move and the reason, and attach supporting documentation with regard to your relocation.
7. Enter your occupation. If you are self-employed, enter the nature of your business and your trade name.

8. Enter the names of the cities in which you worked. If you worked in more than three (3) cities, attach a list of all the cities to the back of your return.
9. Enter city (or cities) of residence for the year. For residency clarification, please call (614) 237-9803.

Part A: Taxable Wages

1. Indicate your employer(s) and the address(es) where you actually reported for work (this may differ from your employer's address printed on your Form W-2). If you run out of space, please attach an additional page.
2. For a refund or adjustment to taxable wages. Complete Part D.
3. Indicate city taxable wages from each employer.



Wages for city tax purposes may differ from the Federal Medicare wages reported in Box 5 of your W-2 as adjusted under §718.03 of the Ohio Revised Code. City taxable wages include all wages that may be deferred or excluded from Federal and State taxable wages under §401 of the Internal Revenue Code. These deferrals appear in Box 12 of your W-2 with codes D, E, F, G and S. You may be subject to additional tax due to residency if your employer does not collect and remit courtesy withholding or your employer has incorrectly reported taxable income.

Part D: Adjustments to Taxable Wages

Lines 1-3 (Under Age 18). You may reduce your taxable wages by the amount of wages you earned while under the age of 18. To do so, you must enter your date of birth on Line 2, and attach a copy of your driver's license or birth certificate. **Do not send originals** — they will not be returned. A notarized statement from either parent stating your birthday may be substituted for the copy of your driver's license or birth certificate.

Lines 4-6 (Improperly Withheld Taxes). Complete these lines only if your employer withheld tax in error to one of the cities listed on Page 1 of Form W-1040. For example, non-residents who:

- 1) are air carrier, motor carrier, or railroad employees;
- 2) are regularly assigned duties in two or more states; and
- 3) had tax withheld to a city other than the city where they live.

You **MUST** attach W-2s and supporting documentation. We will not process your refund unless Part 2 (Certification by Employer) is completed.

Lines 7-10 (Improperly Withheld Tax from Disability Payments). Complete these lines only if your employer withheld tax in error to Whitehall. Short-term disability payments paid after 7/1/2007 are exempted from municipal taxable income. Commencing 1/1/2004 payments from long-term disability payments are exempted from municipal taxable income. You must complete Part 2 (Certification of Employer).

Lines 11-19 (Nonresident Days Worked Out). Lines 18-28 guide you through a formula based on a work year consisting of 260 days (representing five (5) days per week times 52 weeks). Sick, vacation and holiday pay are prorated by the formula. Be sure to attach a copy of your valid telework agreement, timesheets, and last paystub for the year. For individual working at various other locations include a list of all the dates you worked outside of Whitehall, along with the locations (city and state) at which you worked on those dates and travel orders and vouchers. Also, you must complete Part 2 (Certification by Employer).

Part B: Tax Calculation

All taxable income and withholding should be reported to Whitehall.

Column B -	Enter all income from wages, salaries, commissions and other compensation in this column.
Column C -	Enter all income from net profits, rents and other taxable income. Individuals engaged in business or holding partnership interests should complete Parts C, E & F before completing Column C.
Column D -	Column B plus Column C.
Column E -	Multiply the figures in Column D by the appropriate tax rate(s).
Column F -	CREDIT LIMITED TO AMOUNT SUBJECT TO TAX TO 2.5%.

Enter all of the following, if applicable:

- 1) City tax shown as withheld on W-2s for taxes withheld to.
- 2) City tax paid directly to another city (attach a copy of the return or a copy of W-2(s) filed with that city); and
- 3) City tax paid on your behalf by a partnership.
- 4) *Another city's tax rate is limited to 2.5%: or*
- 5) Credit for taxes paid to other cities is limited to 2.5%.



DO NOT enter declaration payments in this column: they are entered on Line 2 of Part B. You cannot claim credit for taxes withheld to the city of income that exceed:

- Column G - Enter net tax due (Column E less Column F).
- Line 1 - Enter total net tax due (total of Column G).
- Line 2 - Enter all declaration payments made during the current tax year and any overpayment carried forward from the prior year. Do not enter tax withheld or paid by a partnership on your behalf (see Column F).
- 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 5.
- Line 4 - Enter penalty and interest, if applicable. All taxes unpaid after April 15th are subject to a 15% penalty. Taxes due Whitehall paid after April 15th are subject to interest at a rate of .5% per month. The annual interest rate of 7%.



Late Charges - Taxpayers who are required to file a Whitehall return will incur a penalty of \$25.00 per month up to a maximum of \$150.00 for failing to file this return in a timely fashion.

- Line 5 - Enter total amount due - Line 3 plus Line 4. If tax due is \$10.00 or less, no payment is necessary.
- Line 6 - Enter overpayment, if applicable; from Line 3 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 you want refunded. Refunds must be greater than \$10.00. You must sign your return and attach all documentation for your refund to be issued.

Part C: Income from Sources other than Wages, Salaries, Commissions etc.

Taxable income from net profits should be entered in the following manner:

- Column H - Enter net income (or loss) from Part E, Line 21 or from Schedule Y if you are allocating your income. If you attached a copy of your Federal Schedule C in lieu of completing Part E on Page 2, enter your income from Schedule C. Schedule Y is used only if you engaged in business in more than one taxing district.
- Column I - Enter net income (or loss) from Part F, Section 1, Line 6, or from your Federal Schedule E if attached in lieu of completing Part F. Separate accounting is required to be used when calculating net rental profit subject to city tax. Common or shared rental real estate expenses shall be allocated equally among all rental properties. Net operating losses are to be applied using separate accounting. Please provide documentation with your return.
- Column J - For **Resident individuals only** enter your share of city taxable income from Part F, Section 2, or from your Federal Schedule E which must be attached to your return.
- Column K - Enter the amount of your Net Operating Loss Carry-Forward allowable in accordance with Ohio Revised Code Section 718.01. Passive activity loss carry forwards are not allowed for city tax purposes. Net operating loss carry forwards for 2018 are limited per ORC 718.01.
- Column L - Enter total income (or loss) from Columns H through K. Carry income figure(s) shown in Column L to the appropriate city line(s) in Column C of **Part B** page 1. If loss is indicated, enter zero in Column C.

Third Party Designee

If you want to allow a friend, family member, or any other person you choose to discuss your tax return with the City of Whitehall, check the "YES" box in the "Third Party Designee" area of your return. Also enter the designee's name, phone number and SSN. But if you want to allow the paid preparer who signed your return to discuss it with the City of Whitehall, just enter "Preparer" in the space for the designee's name. You do not have to provide the other information requested.

If you check the "YES" box, you, and your spouse if filing a joint return, are authorizing the City of Whitehall to call the designee to answer any questions that may arise during the processing of your return. You are also authorizing the designee to:

- Give the City of Whitehall any information that is missing from your return,
- Call the City of Whitehall for information about the processing of your return or the status of your refund or payment(s),
- Receive copies of notices or transcripts related to your return, upon request, and
- Respond to certain City of Whitehall notices about math errors, offsets, and return preparation.

You are **not** authorizing the designee to receive any refund check, bind you to anything (including any additional tax liability), or otherwise represent you before the City of Whitehall. The authorization will remain in effect for the specific return and tax year on which it appears, unless rescinded on a subsequent return for the same tax year or in writing by the taxpayer.

Sign Your Return

Form W-1040 is not considered a complete return unless you sign it and attach all W-2 statements and applicable federal tax documents. If you are filing a joint return, your spouse must also sign.

Paid Preparers Must Sign Your Return. Anyone you pay to prepare your return must sign and date it in the space provided, and provide their Paid Preparer Tax Identification Number (PTIN).

Part E: Schedule C - Income From Self-Employment

The questions on Schedule C should be answered in full. List income and subtract expenses to determine net profit or loss from business or profession. A copy of your Federal Schedule C will be accepted in lieu of completion of Part E on Form W-1040. *All schedules and/or forms supporting the information listed should be attached to your tax return.*

Part F: Rental and Partnership Income

Section 1: Income or Loss from Rental Real Estate

Enter income (loss) produced from rental property by providing the detailed information in the appropriate columns. Federal Form 1040, Schedule E should be provided on all property reported. Beginning in 2016 net profits from rental real estate are only subject to tax in the city in which the property is located or the city in which the owner receiving the net profit resides. Separate accounting is therefore required to be used when calculating net profit subject to city tax. Common or shared rental real estate expenses shall be allocated equally among all rental properties. Net operating losses are to be applied using separate accounting. If the property is not located in any taxing city, income is taxed to owner's city of residence.

Section 2: Partnership Income

Partnership Income – Only Whitehall resident will be able to report partnership income on the W-1040. The taxable amount to be used is the net partnership income as reported on the Federal Schedule E. Credit for tax paid is limited to the amount of tax due for the city of residence. Copies of Schedule K-1 are no longer required to be submitted, include a copy of Schedule E with your return.

S-Corporation Income – Do not report any S corporation gains or losses on this return. Subchapter S corporations are taxed at the corporate level for municipal tax purposes.

Schedule Y – Business Allocation Formula

Provide a completed W-1040, 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 Whitehall' 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- 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- List the wages, salaries and other compensation paid to W-2 employees for services performed within the city limits except compensation exempt from municipal taxation under O.R.C. §718.11.

Column B, Line b- Divide Column A, 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- List the gross receipts from sales made or services performed within the city limits.

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- Divide the sum of line b for Columns A-C by the number of factors used.

Example 1: Line 5 shows no wages companywide. If Line b for Whitehall shows 30%, 60%, and n/a for Columns A-C respectively, you would divide 90% (30% + 60%) by 2 (since only two columns had numbers).

Example 2: Line 5 reports wages companywide. None of those wages are earned in Whitehall. Thus, if Line b for Whitehall shows 30%, 60%, and 0% for columns A-C respectively, you would divide 90% (30% + 60% + 0%) by 3 (since all three columns had numbers... even though Column C's number was zero).

Column E- Multiply the amount shown on the taxable form (Example Schedule C, Schedule E, etc.) by the percentage shown in Column D. If the amount is zero or less, enter zero on Form W-1040, Page 1, Column H or I. If Column D is more than zero, enter the amount on Form W-1040, Columns H or I.

Instructions for Filing Form W-1121 –

Declaration of Estimated Tax and Quarterly Payment Vouchers

Taxpayers who anticipate owing greater than \$200.00 city tax to Whitehall must complete this form. Nonresidents who have taxable income in Whitehall must also complete this section. Individuals anticipating no income subject to the tax in the year 2017 must complete this section, showing zero in Column C.

The declaration (Form W-1211) should be filed by April 15th. Your first quarter payment should be submitted with the declaration. No extensions of time to file or pay will be granted. Each subsequent quarterly payment should be filed using one of the vouchers that came with your Form W-1121. Your second, third and fourth payments are due on the 15th day of June, September and January. 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. To be considered as filed in good faith and not subject to penalty and interest, your timely paid estimated tax must not be less than **90%** of the total tax liability shown on your tax return. We will also consider your estimated taxes as filed in good faith if your timely payments equal or exceed 100% of the tax shown on your prior year return. Failure to make timely estimated tax payments will result in penalty

and interest assessments. Each municipality is considered a separate entity in the calculation and payment of a good faith estimate.

AN AMENDED DECLARATION - may be filed by each quarterly due date to increase or decrease the original declaration as deemed necessary by checking the box marked "AMENDED" at the top right of the form. 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.

Report all estimated taxable income and withholding to the city where the income will be earned. If income will be earned in a non-tax area that income (with related withholding) should be reported to your city of residence.

Line Instructions for Form W-1121

Column B -	Enter estimated taxable income.
Column C -	Multiply the figures in Column B by 2.5%.
Line 1 -	Enter net estimated tax due from column C.
Line 2 -	Enter any overpayment carried forward from the prior year.
Line 3 -	Enter previous declaration payment (if applicable.).
Line 3A -	Enter total credits from Line 2 and 3.
Line 4 -	Subtract Line 3A from Line 1, then divide by 4 to determine the amount of each quarterly installment payment.
Line 5 -	Enter paid with this declaration (check or money order must be attached).
Line 6 -	Subtract Line 5 from Line 4 to determine estimated tax balance. (This amount is payable in equal installments for each quarter). Use payment Vouchers.

Line Instructions for Payment Voucher

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