

Instructions for Form FTB 3538

Payment for Automatic Extension for LPs, LLPs, and REMICs

What's New

Limited partnerships (LPs), limited liability partnerships (LLPs), and real estate mortgage investment conduits (REMICs) can use MyFTB Account for Businesses to view estimated tax payments online. Go to ftb.ca.gov and search for **myftb account**. LPs, LLPs, and REMICs can also make payments online using Web Pay for Businesses. The Franchise Tax Board (FTB) does not charge for this service. Go to ftb.ca.gov and search for **web pay**.

General Information

California does not require the filing of written extensions. If a partnership cannot file Form 565, Partnership Return of Income, by the return's due date, the partnership is granted an automatic six-month extension.

If the tax return is filed by the 15th day of the 10th month following the close of the taxable year (fiscal year) or by October 15, 2012 (calendar year), the extension will apply.

However, an extension of time to file the LP, LLP, or REMIC return is **not** an extension of time to **pay** the \$800 annual tax.

Only use form FTB 3538, Payment for Automatic Extension for LPs, LLPs, and REMICs, if both of the following apply:

- The LP, LLP, or REMIC cannot file Form 565 by the due date
- Tax is owed for 2011

If tax is not owed, there is nothing to file at this time. **Do not** complete or mail this form.

If tax is owed or you are paying the \$800 annual tax, complete the form below. Mail the payment form along with the check or money order to the FTB by the 15th day of the 4th month following the close of the taxable year (fiscal year) or April 17, 2012 (calendar year), to avoid a late payment penalty.

Due to the Emancipation Day holiday on April 16, 2012, tax returns filed and payments mailed or submitted on April 17, 2012, will be considered timely.

When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.

How to Complete Form FTB 3538

Enter all the information requested using black or blue ink. To ensure the timely and proper application of this payment to the partnership's account, enter the federal employer identification number (FEIN) and the California Secretary of State (SOS) file number (assigned upon registration with the SOS).

Private Mail Box (PMB)

Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Where to File

Using black or blue ink, make check or money order payable to the "Franchise Tax Board." Write the FEIN or SOS file number and "2011 FTB 3538" on the check or money order. Detach the payment form from the bottom of this page. Enclose, but **do not** staple, your payment with the form and mail to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0651

Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

If no payment is due or paid electronically, do not mail this form.

Penalties and Interest

An extension of time to file a return is **not** an extension of time to **pay** the tax. If the entity fails to pay its tax liability by the original due date, the entity will incur a late payment penalty plus interest. To avoid late payment penalties and interest, the tax liability must be paid by the 15th day of the 4th month, following the close of the taxable year.

Internet Access

You can download, view, and print California tax forms and publications at ftb.ca.gov.

Access other state agencies' websites at ca.gov.

✂ DETACH HERE - - - - IF NO PAYMENT IS DUE OR PAID ELECTRONICALLY, DO NOT MAIL THIS FORM - - - - DETACH HERE ✂

Fiscal year: File and Pay by the 15th day of the 4th month following the close of the taxable year.

Calendar year: File and Pay by April 17, 2012.

TAXABLE YEAR

Payment for Automatic Extension for LPs, LLPs, and REMICs

CALIFORNIA FORM

2011

3538 (565)

For calendar year 2011 or fiscal year beginning month _____ day _____ year _____, and ending month _____ day _____ year _____.		
LP, LLP, or REMIC name	FEIN	
DBA	Secretary of State (SOS) file number	
Address (suite, room, PO Box or PMB no.)		
City	State	ZIP Code
Contact Telephone no. ()	Amount of payment	

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