



Application for Automatic Six-Month Extension of Time to File for Partnerships and Fiduciaries (with instructions)

IT-370-PF



Instructions

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D Stafford - 1/10/07

Ask for your extension online — Instead of using paper Form IT-370-PF to ask for an extension of time to file the partnership's, estate's, or trust's return, you have two electronic options. If you have Internet access, you can complete your request for free from our Web site at www.nystax.gov, under *Electronic Services*. If you are using a paid preparer or tax preparation software, check your software package or ask your paid preparer to find out if you have the option to e-file the request for an extension. Unlike a paper extension, when you use the Tax Department's Web application or e-file, you will receive a confirmation that we received the extension request.

If the estate or trust owes tax, it must be paid by the original date that the income tax return is due. The Web and e-file applications let you pay through direct transfer of funds from the partnership's, estate's, or trust's bank account (ACH debit). If you want to send a check or money order, you can print out a payment voucher to mail with your payment and ensure that your account is properly credited.

General information — When an application for an automatic six-month extension of time to file is submitted, full remittance must be made of the amounts properly estimated as New York State, New York City, and Yonkers personal income tax remaining unpaid as of the due date for filing the income tax return.

Purpose — File Form IT-370-PF on or before the due date of the return to get an automatic six-month extension of time to file Form IT-204, *Partnership Return*, or Form IT-205, *Fiduciary Income Tax Return* (including attachments). We cannot grant an extension of time for more than six months.

If you have to file Form Y-206, *Yonkers Nonresident Fiduciary Earnings Tax Return*, the time to file is automatically extended when you file Form IT-370-PF. For more information on who is required to file Form Y-206, see the instructions for the form.

You may file Form IT-204 or Form IT-205 any time before the six-month extension period ends. An extension of time to file Form IT-204 or IT-205 will not extend the time for filing New York State income tax returns of partners of a partnership or the beneficiaries of an estate or trust.

When to file — File your completed Form IT-370-PF on or before the filing deadline for the return. For calendar year 2007, the filing deadline is April 15, 2008. For fiscal-year filers, the filing deadline is the fifteenth day of the fourth month following the close of your tax year. Extension applications filed after the filing deadline of the return will be rejected.

How to file — Complete a separate Form IT-370-PF for each partnership, (including limited liability companies (LLCs), limited liability investment companies (LLICs), and limited liability trust companies (LLTCs) treated as partnerships), each limited liability partnership and each estate or trust for which you are extending the time to file. Form IT-370-PF must be filed with payment for any tax owed on or before the due date of the return.

You may instead file an extension application online; see *Ask for your extension online* above.

To request an automatic six-month extension of time to file:

- **Partnerships** (including LLC's, LLIC's, and LLTC's treated as partnerships) and limited liability partnerships file Form IT-370-PF by the due date of the return. Partnerships may file a copy of federal Form 7004, *Application for Automatic 6-Month Extension of Time To File Certain Business Income Tax Information and Other Returns*, with New York State by the due date of the return and attach another copy to the return when you file it.
- **Estates and trusts** file Form IT-370-PF by the due date of the return or, if the estate or trust expects to receive a refund or anticipates having no amount of New York State, New York City, or Yonkers income tax remaining unpaid as of the due date of the return, Form IT-370-PF or a copy of federal Form 7004. Send the copy of federal Form 7004 on or before the due date of the return and attach another copy to the return when you file it.

Payment of tax — **Form IT-205 filers only** — Form IT-370-PF must indicate the properly estimated amount of tax liability due and must be accompanied by a full remittance of the properly estimated tax due. Use the worksheet on the back of this form to determine if a payment is required.

Penalties — There are penalties for filing returns late and for paying the tax late.

Late payment penalty — If an estate or trust does not pay the income tax liability when due (determined with regard to any valid extension of time to pay), it will have to pay a penalty of 1/2 of 1% of the unpaid amount for each month or part of a month it is not paid, up to a maximum of 25%. The penalty will not be charged if you can show reasonable cause for paying late. This penalty is in addition to the interest charged for late payments.

Reasonable cause will be presumed with respect to the addition to tax for late payment of income tax if the requirements relating to extensions of time to file have been complied with, the balance due shown on the income tax return, reduced by any sales or use tax that is owed, is no greater than 10% of the total New York State, New York City, and Yonkers tax shown on the income tax return, and the balance due shown on the income tax return is paid with the return.

Late filing penalty — If you do not file Form IT-205 or Form IT-204 when due (determined with regard to any extension of time to file), or if you do not file Form IT-370-PF on time and obtain an extension of time to file, you will have to pay a penalty of 5% of the income tax due for each month, or part of a month, the return is late up to a maximum of 25%.

▼ Detach here ▼



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Mark an **X** in one box for the form you will be filing:

Form IT-204

Form IT-205

IT-370-PF

To get this extension, you **must** pay in full the balance due with this form. Attach check or money order payable to **New York State Income Tax**; write your identification number and **2007 Income Tax** on your remittance and staple it to the top of this form.

Mark an **X** in the box for each tax that the partnership, estate, or trust is subject to:

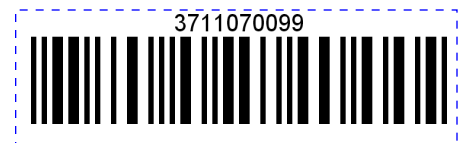
New York State tax

New York City tax

Yonkers tax

Partnership, estate or trust ID number (EIN)	Date fiscal year begins	Date fiscal year ends
Name of partnership, estate, or trust		
Name and title of fiduciary		
Mailing address (number and street or rural route) of partnership or fiduciary		Apartment number
City, village, or post office (see instructions)	State	ZIP code

	Dollars	Cents
1. Sales and use tax	<input type="text"/>	<input type="text"/>
2. Total payment	<input type="text"/>	<input type="text"/>



Updated form IDs and barcode

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