

## FORM APL-004 Deposit in the Nature of a Cash Bond



Conn. Gen. Stat. §12-39m permits any taxpayer objecting to the assessment of any tax due the State of Connecticut to make a remittance that is designated in writing as a deposit in the nature of a cash bond. This limits the accrual of additional interest on the tax assessed, without conceding liability for the assessment. **Form APL-004** should be used to designate a remittance as a deposit in the nature of a cash bond. See **Informational Publication 2000(18)**, *Deposits in the Nature of a Cash Bond*, for further information.

This form must be signed by:

- A principal officer, if the taxpayer is a corporation
- A partner, if the taxpayer is a general partnership
- The fiduciary, if the taxpayer is a trust or an estate
- A principal officer, if the taxpayer is a limited liability company
- The general partner, if the taxpayer is a limited partnership or a limited liability partnership
- An individual or sole proprietor, if the taxpayer is an individual or sole proprietorship

1. Taxpayer's Name	4. Social Security Number (If an Individual)	
2. Address (Number and Street)	5. Connecticut Tax Registration Number (Business Only)	
3. City, State, and ZIP Code	6. Federal Employer Identification Number (Business Only)	
7. Taxpayer is: <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> General Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Individual <input type="checkbox"/> Trust <input type="checkbox"/> Estate <input type="checkbox"/> Other _____		
8. Revenue Examiner Conducting Audit Examination	9. Tax Periods Involved in the Audit Examination	
10. Tax Type Audited	11. Amount of Remittance Designated as a Deposit in the Nature of a Cash Bond	
Date of Deposit ( <i>For DRS Use Only</i> )		
If you need help in completing this form, please call <b>860-297-4775</b> , Monday through Friday, 8:00 a.m. to 5:00 p.m.		
Signature	Title	Date
Print Your Name		Print Company Name

## General Instructions

**When to Make a Deposit:** You may make a deposit *before* or *after* the Department of Revenue Services (DRS) issues a notice of assessment, but before the period for contesting the assessment expires or before the Superior Court enters an order upholding the assessment, whichever is later.

**Where to Send Form APL-004 and the Deposit:** Before DRS issues a notice of assessment, you should hand-deliver **Form APL-004** and your deposit to the revenue examiner assigned to the audit examination. You may also mail the form and the deposit to the Quality Control Unit of the Audit Division:

Department of Revenue Services  
Audit Division - Quality Control Unit  
25 Sigourney Street  
Hartford CT 06106

After DRS issues a notice of assessment, you should hand-deliver **Form APL-004** and your deposit to the appellate officer assigned to the protest. You may also mail the form and the deposit to the Appellate Division:

Department of Revenue Services  
Appellate Division  
25 Sigourney Street  
Hartford CT 06106

**Does Filing Form APL-004 Constitute a Protest of the Assessment:** Filing **Form APL-004** does not in and of itself constitute filing a protest of an assessment.

**How a Deposit in the Nature of a Cash Bond will be Applied:** DRS will apply the deposit once the amount of tax due is finally determined. If you make a deposit before DRS issues a notice of assessment, the amount of the assessment (plus any interest or penalty) stated on the notice will not reflect or take into account the deposit. If you timely file a protest of the assessment with the Appellate Division, and make a deposit before the Appellate Division issues a final determination letter, the amount of the assessment upheld by the final determination letter (plus any interest or penalty) will not reflect or take into account the deposit.

The application of the deposit is a two-step process.

### *Step One:*

Compute a fraction. The numerator is the tax assessed by DRS, as stated on the notice of assessment. The denominator is the tax assessed by DRS, as stated on the notice of assessment, plus the interest that has accrued on the tax through the date that the deposit is received.

### *Step Two:*

Multiply the deposit by the fraction. Apply the product to the tax finally determined to be due. Then, apply the balance of the deposit first to the interest accruing on the tax finally determined to be due and finally to any penalty, unless you requested a waiver of the penalty and the request was approved.

**Whether a Deposit Will Be Returned:** You may request in writing that all or part of the deposit be returned any time before the time for contesting the assessment expires or before the Superior Court enters an order upholding the assessment, *whichever is later*. To request a return of your deposit **before** DRS issues a notice of assessment, you must send a written request to the Quality Control Unit of the Audit Division. To request a return of your deposit **after** DRS issues a notice of assessment, you must send a written request to the Appellate Division.

However, the Collections and Enforcement Division must approve the return of the deposit. If the Collection and Enforcement Division determines that the collection of the tax would be in jeopardy if the deposit is returned, it will advise the division to which the request was made and the deposit will not be returned.

If the Collections and Enforcement Division approves the request, the division to which the request was made will complete and send the appropriate form to the Accounts Receivable Unit of the Operations Division instructing that unit to return the portion of the deposit that you requested be returned. If a portion of the deposit is returned, DRS will treat your account as if you never deposited that portion of the deposit. No interest accrues or is paid on a deposit that is returned to you.

## Line Instructions

- Line 1. Enter the name of the taxpayer.
- Line 2. Enter the street address of the taxpayer.
- Line 3. Enter city, state, and ZIP Code.
- Line 4. Enter your Social Security Number (if an individual).
- Line 5. Enter the Connecticut Tax Registration Number assigned to the taxpayer by DRS (if a business).
- Line 6. Enter the Federal Employer Identification Number assigned to the taxpayer by the U.S. Department of the Treasury (if a business).
- Line 7. Check the appropriate box.
- Line 8. Enter name of revenue examiner (if known) who conducted the audit examination of the taxpayer.
- Line 9. Enter the beginning and ending tax periods of the audit examination. Example: Tax period of January 1, 1996, through October 31, 1998, inclusive.
- Line 10. Enter the type of tax audited. For example: corporation business tax, sales and use taxes, gift tax, income tax, etc.
- Line 11. Enter the amount of the remittance that you are designating as a deposit in the nature of a cash bond. Attach a check or money order made payable to "**Commissioner of Revenue Services**" to this form.