



PromptTax – Sales and Compensating Use Tax Request for Hardship Exemption

			Date	
Taxpayer ID number		Taxpayer name		
Taxpayer address		City	State	ZIP code
Primary contact name	Primary contact telephone number ()	Fax number ()		

The hardship exemption provides relief for vendors who have experienced a significant decrease in recent tax liability. You must submit a separate exemption form for each applicable tax type.

You must complete this worksheet in its entirety and meet the stated criteria to qualify. Read the instructions on page 2 of this form before completing it.

	Tax amount	Period <i>(mm/yy – mm/yy)</i>
a Total sales tax – most recently completed quarter. You must attach a copy of the corresponding Form ST-810	a	-
b Total sales tax – same quarter as line a, prior year	b	-
c Total sales tax – quarter prior to most recently completed quarter	c	-
d Total sales tax – same quarter as line c, prior year	d	-
e Total sales tax lines <i>(add line a and line c)</i>	e	
f Total sales tax lines <i>(add line b and line d)</i>	f	
g Calculation <i>(divide line e by line f)</i>	g	
h Total sales tax for two quarters previous to two most current quarters <i>(the two quarters prior to quarter reported on line c)</i>	h	-
i Calculation <i>(multiply line h by line g)</i>	i	
j Total of lines <i>(add line e and line i)</i>	j	

Mark an **X** in the box next to each exemption criterion that is a correct statement based on the calculations above:

Line g amount is less than 50% (0.5)

Line j is less than \$250,000

If you marked both boxes, you may qualify for hardship exemption. We will review your application for accuracy.

You will receive notification granting or denying exemption status within 14 days after we receive your request. If we grant the hardship exemption, we will release you from participating in the PromptTax program for the remaining quarters of the sales tax year ending May 31 and for the next sales tax year ending May 31.

Certification: I certify that the information shown on this form is to the best of my knowledge and belief true, correct, and complete.

Authorized signature	Date
Name of signatory	

Instructions

We select vendors for mandatory participation in the PromptTax program based on historical tax liability. The hardship exemption takes into account a significant decrease in tax liability from the historical selection period to a more current period.

You may qualify for hardship exemption if:

1. The tax liability for the two most recent quarters is less than 50% (0.5) of the tax liability for the same two quarters of the prior year; **and**
2. The tax liability for the two most recent quarters **plus** the tax liability for the two quarters preceding the two most recent quarters multiplied by the percentage calculated in 1. above is less than \$250,000.

If you believe you qualify for the exemption based on the criteria described above, you may submit this form.

To determine the sales tax amount for each quarter, include both the tax liability shown on the applicable Form ST-810, *New York State and Local Quarterly Sales and Use Tax Return for Part-Quarterly (Monthly) Filers*, (box 14, total sales and use tax, minus any credit for prepaid sales tax) and any subsequent audit adjustments.

Vendor information – Enter your taxpayer identification number as shown on your *Notification of Required Participation*, regarding PromptTax for sales and compensating use tax, along with the business name and address.

Primary contact information – Enter the name, telephone number, and fax number of your primary contact as designated in your enrollment information.

The following is a step-by-step instruction for completing this form using fictitious figures from the XYZ Corporation.

Quarter ended (MM/YY)	Sales tax amount
5/16	\$ 62,500
2/16	87,500
11/15	75,000
8/15	100,000
5/15	150,000
2/15	175,000

Line a Enter the total sales and compensating use tax from the most recently completed quarter and the month/year of the quarter ended. **You must attach a copy of the corresponding Form ST-810 when submitting this form.**

Example: For the quarter ended 5/16, this figure is **\$62,500**.

Line b Enter the total sales and compensating use tax from the same quarter as in line a for the prior year and the month/year when the quarter ended.

Example: For the quarter ended 5/15, this figure is **\$150,000**.

Line c Enter the total sales and compensating use tax from the quarter immediately preceding the most recently completed quarter and the month/year when the quarter ended.

Example: For the quarter ended 2/16, the figure is **\$87,500**.

Line d Enter the total sales and compensating use tax from the same quarter as in line c for the prior year and the month/year when the quarter ended.

Example: For the quarter ended 2/15, the figure is **\$175,000**.

Line e Enter the **total of line a and line c**.

Example: The figure for this line is **\$150,000**. Line a is \$62,500 for the quarter ended 5/16, and line c is \$87,500 for the quarter ended 2/16.

Line f Enter the **total of line b plus line d**.

Example: The figure for this line is **\$325,000**. Line b is \$150,000 for the quarter ended 5/15, and line d is \$175,000 for the quarter ended 2/15.

Line g Enter the amount derived by dividing line e by line f. This amount must be less than 50% (0.5) in order to satisfy the first of two statutory hardship exemption criteria. The percentage must be calculated to **three** decimal places.

Example: The line e figure of \$150,000 is divided by the line f figure of \$325,000, which equals **.462**.

Line h Enter the total sales and compensating use tax for the two quarters that immediately preceded the two most current quarters (lines a and c) and the month/year when each quarter ended.

Example: The two most recent quarters (ending 5/16 and 2/16) were preceded by the quarters ending 11/15 and 8/15. The total sales tax for these quarters was **\$175,000**.

Line i Multiply line g by line h and enter the result.

Example: **.462 × \$175,000 equals \$80,850**.

Line j **Add line e and line i**. This total must be less than \$250,000 in order to satisfy the second statutory hardship exemption criterion.

Example: The total of line e and line i is **\$230,850**.

Mark an **X** in the box next to each exemption criterion that has been met. XYZ Corporation has met both hardship exemption criteria.

Certification section

This form must be signed and dated by an individual authorized to act on behalf of the vendor. The fact that an individual's name is signed on the certification will be evidence that the individual is authorized to sign and certify this information.

Note: If you are a required participant in the PromptTax program for more than one tax, exemption from participation in the program for one tax type **does not** release you from mandatory participation in the program for any other tax for which you may qualify. You must demonstrate hardship for each individual tax by submitting the applicable exemption form.

Mail the completed form to:

**NYS TAX DEPARTMENT
PROMPTAX – SALES TAX
W A HARRIMAN CAMPUS
ALBANY NY 12227-0865**

If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Need help?



Visit our website at **www.tax.ny.gov**
(for information, forms, and online services)



Telephone assistance

PromptTax Customer Service Center:

(518) 457-2332