



# Instructions for Form IT-2105.9

# IT-2105.9-1

## Underpayment of Estimated Income Tax by Individuals and Fiduciaries

New York State • New York City • Yonkers

### General instructions

#### Who must pay the underpayment penalty

You may be charged a penalty if you did not pay enough estimated tax by any of the due dates or if you did not have enough New York State, New York City, or Yonkers income tax withheld. This is true even if you are due a refund when you file your tax return. The penalty is computed separately for each due date. Therefore, you may owe the penalty for an earlier payment due date, even if you paid enough tax later to make up the underpayment.

**Important note** — Revised New York State tax rate schedules for tax year 2009 may have required you to increase the amount of estimated tax you paid.

If your New York adjusted gross income was less than \$100,000, you were **not** subject to the rate increases. You may use any method: Part 2, short method; Part 3, regular method — Schedules A and B; or the annualized income installment method, Worksheet 1 (and, if applicable, Worksheets 2 and 3), to compute your underpayment penalty.

If your New York adjusted income was \$100,000 or more, you may have been subject to the rate increase. You should use the annualized income installment method to compute your underpayment penalty. Using the short method or regular method may cause you to pay a larger penalty than the annualized income installment method.

In general, you may owe the penalty for 2009 if you did not pay at least the smaller of:

- 1) 90% of your 2009 tax liability; or
- 2) 100% of your 2008 tax liability (110% of that amount if you are not a farmer or a fisherman and the New York adjusted gross income shown on that return is more than \$150,000 or, if married filing separately for 2009, more than \$75,000). Note: To meet this condition, the tax shown on your 2008 return must be recomputed using 2009 tax rates and itemized deduction rules.

However, if you did not file a 2008 tax return or that return did not cover all 12 months, item 2 above does not apply.

Use Part 1 to see if you prepaid enough of your required annual tax payment. If you did not, use Part 2 or Part 3 to compute the penalty.

If you checked filing status ③ on your New York State return, each spouse must compute the penalty on separate Form(s) IT-2105.9.

The penalty for each installment is computed separately. Income taxes withheld from your salary, pension, etc., are considered payments of estimated tax in equal installments on the four installment dates, unless you prove otherwise.

The penalty rates will be based upon the federal short-term interest rates, and will be adjusted quarterly. The federal short-term rate for the first month of the previous calendar quarter, rounded to the nearest whole percent, will be used to set the rates for the next succeeding calendar quarter.

**Special rule for individual estimated income tax** — The federal short-term rate that applies during the third month following the tax year will also apply during the first 15 days of the fourth month following the tax year.

**Penalty rate** — The penalty rate will be the federal short-term rate plus five and one half percentage points, but not less than 7.5%. The rates from April 15, 2009, through April 15, 2010, are as follows:

- April 15 to June 30, 2009 - 7.5%
- July 1 to September 30, 2009 - 7.5%
- October 1 to December 31, 2009 - 7.5%
- January 1 to April 15, 2010 - 7.5%

**Period of underpayment** — The penalty is applied to the number of days that the installment was not paid. Determine the period of the underpayment by counting the number of days after the due date of the installment to and including the date of payment, the last date in the penalty rate period or the next installment due date, whichever is earlier.

**Farmers and fishermen** — If your federal gross income from farming or fishing is at least two-thirds of your federal gross income for 2008 or 2009, you cannot use this form. Instead, attach a copy of federal Form 2210F, *Underpayment of Estimated Tax by Farmers and Fishermen*, to show how you computed the penalty or which exceptions apply.

**Estates and trusts** — The estimated tax penalty will apply to most trusts. It will also apply to estates (and certain grantor trusts that receive the residue of the decedent's estate under the decedent's will) with respect to any tax year ending two or more years after the date of death of the decedent.

For example, if a decedent died June 30, 2009 (fiscal year fiduciary July 1 - June 30), estimated tax payments, if any, would be required beginning July 1, 2011, and installment payment is due October 17, 2011.

**Exceptions to penalty** — No penalty will be due if:

- 1) the tax due (after deducting tax withheld) is less than \$300. If you owe two taxes (for example, New York State and New York City), no penalty is due if you owe less than \$600. If you owe three taxes (New York State, New York City and Yonkers), no penalty is due if you owe less than \$900; **or**
- 2) you did not have any New York State tax liability for the preceding tax year, the preceding tax year was a tax year of 12 months, and throughout the preceding tax year you were a New York State resident or you were a nonresident who had New York source income or a part-year resident who had New York source income. **Note:** If you were a nonresident or part-year resident and had **no** New York source income, you do **not** qualify for exception (2) regardless of whether or not you filed a New York tax return; **or**
- 3) an installment of estimated tax is due on or after an individual's death; **or**
- 4) the underpayment was caused by a casualty, disaster or other unusual circumstances; **or**
- 5) you retired in 2008 or 2009 after reaching the age of 62, or you became disabled, and the underpayment was due to reasonable cause and not to willful neglect.

If you are requesting a waiver of the penalty, attach a statement to Form IT-2105.9 containing all the facts necessary to justify your request.

**Name and identifying number box**

**Individuals** — Enter in the spaces at the top of the form your name and social security number. If you filed a joint return, also enter your spouse’s name.

**Fiduciaries** — Enter in the spaces at the top of the form the name of the estate or trust and the name of the fiduciary. Also enter the employer identification number of the estate or trust.

**Specific instructions**

See the instructions for your tax return for the *Privacy notification* or if you need help contacting the Tax Department.

**Part 1**

All filers must complete lines 1 through 17.

**Line 1**

**Line 1 worksheet**

Complete the following worksheet to compute amount for line 1.

**1** Total tax from 2009 Form IT-150, line 37; Form IT-201, line 61; Form 203, line 58; or Form IT-205, line 29 ..... **1.** \_\_\_\_\_

**2** Enter sales or use tax from 2009 Form IT-150, line 35; Form IT-201, line 59; Form IT-203, line 56; or Form IT-205, line 28 ..... **2.** \_\_\_\_\_

**3** Enter voluntary contributions from 2009 Form IT-150, line 36; Form IT-201, line 60; or Form IT-203, line 57 ..... **3.** \_\_\_\_\_

**4** Add lines 2 and 3 ..... **4.** \_\_\_\_\_

**5** Subtract line 4 from line 1. Enter here and on Form IT-2105.9, Part 1, line 1 ..... **5.** \_\_\_\_\_

**Line 15** — If this line is less than \$300, you do not owe a penalty and need not complete Form IT-2105.9. Also, you do not have to complete this form if you owe two taxes (for example, New York State and New York City) and line 15 is less than \$600, or you owe three taxes (New York State, New York City and Yonkers) and line 15 is less than \$900.

**Line 16**

**Line 16 worksheet**

Complete the following worksheet to compute amount for line 16.

**1** Tax from 2008 Form IT-150, line 37; Form IT-201, line 61; Form IT-203, line 58; or Form IT-205, line 29; (or enter 110% of that amount if your New York adjusted gross income for 2008 is more than \$150,000 or, if married filing separately for 2009, more than \$75,000) **Caution:** You must recompute your 2008 tax reported on Form IT-150, line 37; Form IT-201, line 61; Form IT-203, line 58; or Form IT-205, line 29, using 2009 tax rates and itemized deduction rules. .... **1.** \_\_\_\_\_

**2** Enter sales or use tax from 2008 Form IT-150, line 35; Form IT-201, line 59; Form IT-203, line 56; or Form IT-205, line 28 .. **2.** \_\_\_\_\_

**3** Enter voluntary contributions from 2008 Form IT-150, line 36; Form IT-201, line 60; or Form IT-203, line 57 ..... **3.** \_\_\_\_\_

**4** Enter the total of any credits claimed from 2008 Form IT-150, lines 38-45; Form IT-201, lines 63-71; Form IT-203, lines 60 and 61; or Form IT-205, line 33 ..... **4.** \_\_\_\_\_

**5** Add lines 2, 3, and 4 ..... **5.** \_\_\_\_\_

**6** Subtract line 5 from line 1. Enter here and on Form IT-2105.9, Part 1, line 16 ..... **6.** \_\_\_\_\_

**Filing status change** — If you are filing a joint return for 2009, but you did not file a joint return for 2008, complete the *Line 16 worksheet* using the required amounts shown on your 2008 return and shown on your spouse’s 2008 return. If you filed a joint return for 2008, but you are not filing a joint return for 2009, your 2008 tax is your share of the tax on the joint return. To compute your share, first compute the tax both you and your spouse would have paid had you filed separate returns for 2008. Then multiply your joint tax liability by the following fraction:

$$\frac{\text{Your separate tax liability}}{\text{Both spouses' separate tax liability}}$$

If you did not file a 2008 return or if your 2008 tax year was for a period of less than 12 months, do not complete line 16. Instead, enter the amount from line 13 on line 17.

If the amount on line 14 is equal to or more than the amount on line 17, you will not have to complete or attach Form IT-2105.9.

You will not have to pay a penalty or complete this form if you did not have any tax liability for 2008, and the preceding tax year was a tax year of 12 months and you were a New York State resident or you were a nonresident who had New York source income or a part-year resident who had New York source income.

**Part 2 — Short method for computing the penalty**

If you paid withholding tax or four equal estimated tax installments, or both, or made no estimated tax payments for the 2009 tax year, complete lines 18 through 24 to compute the penalty due. Otherwise, you must use the regular method in Part 3.

**Note:** If any payment was made earlier than the due date, you may use the short method, but using it may cause you to pay a larger penalty than the regular method. If the payment was only a few days early, the difference is likely to be small.

You **may not** use the short method if either of the following applies:

- 1) you made any estimated tax payments late, **or**,
- 2) you use the annualized income installment method.

**Line 19** — Enter the total of New York State, New York City and Yonkers estimated taxes paid.

**Line 23** — If the underpayment on line 21 was paid before April 15, 2010, determine the number of days the payment was made before April 15, 2010, and enter it in the computation for line 23.

**Example:** *If the line 21 underpayment of \$2,050 was paid April 8, 2010, you would compute the amount for line 23 as follows: \$2,050 (amount on line 21) × 7 (number of days before April 15, 2010) × .00020 = \$2.87*

**Part 3 — Regular method**

**Schedule A — Computing your underpayment**

**Line 25** — Enter on line 25, columns A through D, the amount of your required installment for the due date shown in each column heading. For most taxpayers, this is the amount shown on line 17 divided by four.

However, it may be to your benefit to compute your required installments by using the annualized income installment method explained below.

**Annualized income installment method**

If your income varied during the year because, for example, you received unexpected or seasonal income not subject to withholding in April or later, or if you were subject to the New York State tax rate increases, complete *Worksheet 1 — Annualized income installment — New York State* (and, if applicable, Worksheets 2 and 3), starting on page 6 of these instructions. If you use Worksheet 1 (and Worksheets 2 and 3, if applicable) for any payment due date,

you must use it for all payment due dates. To compute the amount of each required installment, the worksheet automatically selects the smaller of the annualized income installment or the regular installment (increased by the amount saved by using the annualized income installment method in computing earlier installments). Attach a copy of the worksheet(s) to Form IT-2105.9.

**Line 26** — Enter the total of New York State, New York City and Yonkers estimated taxes paid and tax withheld for each period. If you worked all year, compute four equal payments of income tax withheld by dividing the total amount withheld by four, and include the result in each column.

Instead of making the estimated tax payment due January 15, 2010, you can file your return and pay all the tax due by February 1, 2010. If you do this, enter the amount of tax you pay with your return on line 26, column D.

**Line 27** — Enter any overpayment (or underpayment) from the prior payment period.

**Line 28** — In column A, enter the amount from line 26. In the other columns, if line 27 is an overpayment, add lines 26 and 27.

If line 27 is an underpayment, subtract line 27 from line 26.

**Line 29** — If line 25 is greater than line 28, subtract line 28 from line 25. The result is an underpayment that should also be entered on line 30 for the same payment due date and on line 27 for the next payment due date. If line 28 is greater than line 25, subtract line 25 from line 28. The result is an overpayment that should also be entered on line 27 for the next payment due date.

If line 28 is a negative amount, your total underpayment at line 29 is the installment due at line 25 plus the line 28 amount.

**Schedule B — Computing the penalty**

Compute the penalty by applying the applicable rate against each underpayment shown on line 30. The penalty is computed for the number of days that the underpayment remained unpaid or to the next payment due date, whichever is earlier.

The rates are established at various times through the year. During 2009, there was one rate in effect over four periods.

Lines 31 through 38 are used to compute the portion of the penalty attributable to different installment periods. For example, lines 31 and 32 are used to compute the penalty for the first installment period at 7.5%. The factor .01253 at line 31 is used to compute the penalty for the first installment if payment is made on June 15. If payment is made before June 15, compute the factor using the number of days the underpayment remained unpaid for the first installment. Line 32 is used to compute the actual penalty amount by multiplying the underpayment by the factor.

Read these instructions and examples for lines 31 through 38 before completing Part 3, Schedule B.

**List your payments for 2009**

Before beginning to compute your penalty in Part 3, Schedule B, it will be helpful to organize and list the payments you made for 2009 in the manner presented in the tables below.

In each table, list only the payments made during the dates shown in that table heading. Also apply the following rules:

- Any New York State income tax withheld should be included. You are considered to have paid one-fourth of these amounts on each payment due date, unless you can show otherwise. For example, if you have New York State income tax of \$4,000 withheld from your wages during the year, you would list \$1,000 as being paid on June 15, 2009, September 15, 2009, and January 15, 2010, in the applicable table. You would not list the

withholding attributable to the first payment due date (April 15, 2009).

- For Table 4, any income tax balance due that you pay with your tax return is considered a payment for this purpose and should be listed. Use the date you file your return as the payment date, unless you file late. In that case, use April 15, 2010.

**Table 1** — Payments after April 15, 2009, through June 15, 2009

a Date	b Payments

**Table 2** — Payments after June 15, 2009, through September 15, 2009

a Date	b Payments

**Table 3** — Payments after September 15, 2009, through January 15, 2010

a Date	b Payments

**Table 4** — Payments after January 15, 2010, through April 15, 2010

a Date	b Payments

The following instructions will lead you through the procedures for computing the penalty in Part 3, Schedule B.

Complete only those lines from line 31 through 38 for periods in which there are underpayments.

**First installment — column A, lines 31 and 32**

**Line 31** — Enter on line 31, column A, the factor .01253 if no payment was made before June 15, 2009. If any payment was made before June 15, 2009, compute the number of days from April 15, 2009, to the date the payment was made and divide by 365. Then multiply the result by the interest rate shown to compute the factor to enter on line 31.

**Line 32** — Compute line 32 by multiplying the underpayment on line 30 by the factor on line 31.

**Example 1:** Assume you had an underpayment on line 30, column A, of \$5,000 and that you had no payments listed in Table 1 above. Because the underpayment remained unpaid for the entire first installment period (61 days), you would compute the penalty on the underpayment using the factor shown and enter .01253 on line 31. You would enter \$62.65 ( $\$5,000 \times .01253$ ) on line 32.

**Note:** When dividing the number of days by 365, carry the result to four decimal places but when computing the factor, carry the result to five decimal places and do not round off in either calculation.

**Example:**  $85 \div 365 = .2328 \times 7.5\% = .01746$

**If there is a payment listed in Table 1,** on a separate sheet of paper apply the payment to the underpayment shown on line 30. The *underpayment* for the computation on line 32 will be the amount of the payment that you applied to the line 30 underpayment. If the payment is more than the underpayment, apply only an amount equal to the underpayment and use that amount for the line 32 computation.

If there are no payments listed in Table 1, the underpayment is the entire underpayment balance shown on line 30, column A, because the entire underpayment would have been unpaid for the whole installment period.

**Example 2:** Assume you had an underpayment on line 30, column A, of \$5,000 and that your first payment in Table 1 was made on May 6, 2009, in the amount of \$5,000. You would compute the penalty on the underpayment by computing the factor as follows:  $21 \div 365$  (21 is the number of days from 4/15 to 5/6) multiplied by 7.5% equals .00431. Enter .00431 on line 31. You would enter \$21.55 ( $\$5,000 \times .00431$ ) on line 32.

If there are additional payments listed in Table 1 and the first payment was not enough to reduce the underpayment to zero, you must make a separate computation for each payment listed until the underpayment is reduced to zero. If there is still an underpayment balance after applying all of the payments, you must compute the penalty on the balance of the underpayment in the same manner as explained in Example 3 below.

**Example 3:** Assume you had an underpayment on line 30, column A, of \$5,000 and that your first payment in Table 1 was made on April 25, 2009, in the amount of \$3,000. Because the payment did not reduce the underpayment to zero, you would compute the penalty on the underpayment by computing the factors as follows:

$10 \div 365$  (10 is the number of days from 4/15 to 4/25) multiplied by 7.5% equals .00204. Enter .00204 on line 31; as there are no other payments listed in Table 1 you would have a second computation to compute the factor on the remaining underpayment of \$2,000 as follows: enter .01253 (factor for period 4/15 to 6/15) on line 31. You would enter \$6.12 ( $\$3,000 \times .00204$ ) and \$25.06 ( $\$2,000 \times .01253$ ) on line 32.

**Columns B through D**

In columns B through D, compute the penalty on any underpayment shown on line 30. Compute the penalty for each period in the same manner as in column A.

**Second installment — column B, lines 33 and 34**

**Line 33** — Enter on line 33, column B, the factor .01890 if no payment was made before September 15, 2009. If any payment was made after June 15, 2009, but before September 15, 2009, compute the number of days from June 15, 2009, to the date the payment was made and divide by 365. Then multiply the result by the interest rate to compute the factor to enter on line 33.

**Line 34** — Compute line 34 by multiplying the underpayment on line 30 by the factor on line 33.

**Third installment — column C, lines 35 and 36**

**Line 35** — Enter on line 35, column C, the factor .02506 if no payment was made before January 15, 2010. If any payment was made after September 15, 2009, but before January 15, 2010, compute the number of days from September 15, 2009 to the date the payment was made and divide by 365. Then multiply the result by the interest rate to compute the factor to enter on line 35.

**Line 36** — Compute line 36 by multiplying the underpayment on line 30 by the factor on line 35.

**Fourth installment — column D, lines 37 and 38**

**Line 37** — Enter on line 37, column D, the factor .01848 if no payment was made before April 15, 2010. If any payment was made after January 15, 2010, but before April 15, 2010, compute the number of days from January 15, 2010, to the date the payment was made and divide by 365. Then multiply the result by the interest rate to compute the factor to enter on line 37.

**Line 38** — Compute line 38 by multiplying the underpayment on line 30 by the factor on line 37.

**Worksheet 1 — Annualized income installment — New York State**

**Line 1** — Attach a schedule showing how you computed your New York adjusted gross income for each period.

Estates and trusts line 1 worksheet	
Complete the following worksheet to compute amount for line 1.	
1	Enter amount from Form IT-205, line 62 or Form IT-205-A, line 6, column a ..... <b>1.</b> _____
2	Enter amount from Form IT-205, line 60 or Form IT-205-A, line 4 ..... <b>2.</b> _____
3	Add lines 1 and 2 ..... <b>3.</b> _____
4	Enter amount from Form IT-205, line 2 or Form IT-205-A, line 7, column a ..... <b>4.</b> _____
5	Enter amount from Form IT-205, line 4 or Form IT-205-A, line 9, column a ..... <b>5.</b> _____
6	Add lines 4 and 5 ..... <b>6.</b> _____
7	Line 3 and add or subtract line 6; enter here and on page 6, Worksheet 1, line 1 (and, if applicable on page 7, Worksheet 2, line 1) ..... <b>7.</b> _____

**Line 2 — Estates and trusts** – do not use amounts shown in columns a through d. Instead, use 6, 3, 1.71429, and 1.09091, respectively, as the annualization amounts.

**Line 4** — Enter your itemized deductions for the period shown. The percentage of itemized deductions disallowed for each filing status and income range applies to the amount of itemized deductions for each period.

**Line 7 — Individuals** – If you claim the standard deduction on line 7, the amount that you can enter is shown below:

Single .....	\$7,500
Single and a dependent of another taxpayer .....	3,000
Married filing joint return .....	15,000
Married filing separate return .....	7,500
Head of household (with qualifying person) .....	10,500
Qualifying widow(er) with dependent child .....	15,000

Do not prorate your standard deduction. Enter the full amount in each column.

**Line 11** — Resident individuals compute the tax on the amount on line 10, column a, using the tax computation (tax rate schedule and tax computation worksheets) on page 9 of these instructions, and compute the tax on line 10, columns b, c, and d using the tax computation (tax rate schedule and tax computation worksheets) in the combined instructions for 2009 Form IT-150/IT-201. (Note: When using the tax computation worksheets in the combined instructions for Form IT-150/IT-201, any reference to New York adjusted gross income or New York taxable income should be read to mean your annualized New York adjusted gross income or your annualized New York taxable income entered on Form IT-2105.9-I, Worksheet 1, for the particular period for which you are computing your tax.) Resident estates and trusts compute the tax on the amount on line 10, column a, using the tax computation (tax rate schedule and tax computation worksheets) on page 9 of these instructions, and compute the tax on line 10, columns b, c, and d using the tax computation worksheets in the instructions for 2009 Form IT-205. (Note: When using the tax computation worksheets in the instructions for Form IT-205, any reference to New York adjusted gross income or New York taxable income should be read to mean the estate's or trust's annualized New York adjusted gross income or the estate's or trust's annualized New York taxable income entered on Form IT-2105.9-I, Worksheet 1, for the particular period for which the tax is being computed.)

**Line 11a** — Nonresident and part-year resident individuals compute the tax on the amount on line 10, column a, using the tax computation (tax rate schedule and tax computation worksheets) on page 9 of these instructions, and compute the tax on line 10, columns b, c, and d using the tax computation (tax rate schedule and tax computation worksheets) in the instructions for 2009 Form IT-203. (Note: When using the tax computation worksheets in the instructions for Form IT-203, any reference to New York adjusted gross income or New York taxable income should be read to mean your annualized New York adjusted gross income or your annualized New York taxable income entered on Form IT-2105.9-I, Worksheet 1, for the particular period for which you are computing your tax.) Nonresident estates and trusts and part-year resident trusts compute the tax on the amount on line 10, column a, using the tax computation (tax rate schedule and tax computation worksheets) on page 9 of these instructions, and compute the tax on line 10, columns b, c, and d using the tax computation worksheets in the instructions for 2009 Form IT-205-A. (Note: When using the tax computation worksheets in the instructions for Form IT-205-A, any reference to New York adjusted gross income or New York taxable income should be read to mean the estate's or trust's annualized New York adjusted gross income or the estate's or trust's annualized New York taxable income entered on Form IT-2105.9-I, Worksheet 1, for the particular period for which the tax is being computed.)

**Line 11d — Nonresident and part-year resident individuals**  
 Compute your income percentage for each period (if applicable) by dividing the New York adjusted gross income amount from Form IT-203, line 31, *New York State amount* column, by the New York adjusted gross income from Form IT-203, line 31, *Federal amount* column, using only the income earned for that period.

**Nonresident estates and trusts and part-year resident trusts**  
 Complete the *Income percentage worksheet A* below.

Income percentage worksheet A	
1	Enter the amount from Form IT-205-A, line 22, column b, for the period shown ..... 1. _____
2	Enter the portion of any administration costs, income distribution deduction, exemption and other deductions used in determining federal adjusted gross income that relate to items of income, gain, loss and deduction derived from or connected with New York sources, for the period shown ..... 2. _____
3	Subtract line 2 from line 1 ..... 3. _____
4	Enter the amount from Form IT-205-A, line 7, column a, that relates to New York source income for the period shown ..... 4. _____
5	Enter the amount from Form IT-205-A, line 9, column a that relates to New York source income for the period shown ..... 5. _____
6	Line 4 and add or subtract line 5 ..... 6. _____
7	Balance: line 3 and add or subtract line 6 ..... 7. _____
8	Divide line 7 above by the amount from Form IT-205-A-I, page 2, NYAGI Worksheet, line 5, for the period shown. Enter here and on Worksheet 1, line 11d on page 6 ..... 8. _____

**Line 12** — Credits that are based wholly or partly on income are computed on the annualized income for each period.

**Example 4:** *You are single and qualified to claim the household credit. Your New York adjusted gross income (line 1) for the period January 1, 2009, through March 31, 2009, is \$5,000. You would use the annualized amount on Worksheet 1, line 3 (\$20,000) when computing your household credit.*

Other credits that should be computed on an annualized basis are the Empire State child credit, child and dependent care credit, New York State earned income credit, New York State noncustodial parent earned income credit, farmers' school tax credit, New York City school tax credit, New York City earned income credit, and real property tax credit. Credits that are not based on income are computed by applying the 2009 credit rate to the amount of the expenditure paid or incurred during the period. An example of this is the investment credit.

**Line 14** — Enter in each column the total amount of other New York State taxes reported on Form IT-201, line 45; Form IT-203, line 49; or Form IT-205, lines 12 and 13. Except for the minimum tax, you do not have to annualize these taxes. Use Form IT-220, *Minimum Income Tax*, as a guide in computing this tax. Compute your total New York tax preference items based upon the income and deductions during the period shown in the column headings of this worksheet. Multiply the total New York tax preference items by the annualization amounts on line 2 of this worksheet and then deduct the specific deduction allowed on Form IT-220.

(continued)

**Worksheet 1 — Annualized income installment — New York State** (Complete one column through line 26 before completing the next column.)

**Estates and trusts — Use the following ending dates in each column:**  
**2/28/09, 4/30/09, 7/31/09 and 11/30/09**

	<b>a</b> 1/1/09 - 3/31/09	<b>b</b> 1/1/09 - 5/31/09	<b>c</b> 1/1/09 - 8/31/09	<b>d</b> 1/1/09 - 12/31/09
<b>1</b> New York adjusted gross income for period shown (see instructions, page 4)	<b>1.</b>			
<b>2</b> Annualization amounts (estates and trusts — see instructions) .....	<b>2.</b> 4	<b>2.4</b>	<b>1.5</b>	<b>1</b>
<b>3</b> Annualized New York adjusted gross income (multiply line 1 by line 2)	<b>3.</b>			
<b>4</b> Itemized deductions for period shown (if you do not itemize deductions, skip lines 4, 5, and 6). Estates and trusts — enter 0, skip to line 8 and enter the amount from line 3 on line 8 .....	<b>4.</b>			
<b>5</b> Annualization amounts .....	<b>5.</b> 4	<b>2.4</b>	<b>1.5</b>	<b>1</b>
<b>6</b> Multiply line 4 by line 5 .....	<b>6.</b>			
<b>7</b> Standard deduction (see instructions, page 4) .....	<b>7.</b>			
<b>8</b> Subtract line 6 or line 7 from line 3 .....	<b>8.</b>			
<b>9</b> Multiply \$1,000 by the number of dependent exemptions claimed. Estates and trusts — enter the federal exemption amount (enter full amount in each column) .....	<b>9.</b>			
<b>10</b> Annualized taxable income (subtract line 9 from line 8) .....	<b>10.</b>			
<b>11</b> Resident individuals and resident estates and trust - compute the tax on the amount on line 10 (see instructions, page 4) .....	<b>11.</b>			
<b>11a</b> Nonresident and part-year resident individuals, nonresident estates and trusts and part-year resident trusts compute the tax on the amount on line 10 (see instructions, page 5) .....	<b>11a.</b>			
<b>11b</b> Nonresident and part-year resident individuals enter the applicable portion of any credits claimed on lines 39, 41, and 43 of Form IT-203	<b>11b.</b>			
<b>11c</b> Subtract line 11b from line 11a. If line 11b is more than line 11a, leave blank .....	<b>11c.</b>			
<b>11d</b> Nonresident and part-year resident individuals - Income percentage for period shown: Form IT-203, <i>New York State amount</i> column, line 31, for the period shown divided by Form IT-203, <i>Federal amount</i> column, line 31, for the period shown. Nonresident estates and trusts and part-year resident trusts - see instructions, page 5, <i>Income percentage worksheet A</i> .....	<b>11d.</b>			
<b>11e</b> Multiply line 11c by line 11d .....	<b>11e.</b>			
<b>12</b> Enter the applicable portion of any credits claimed on Form IT-150, line 28; Form IT-201, line 43; Form IT-203, line 47; or Form IT-205, line 10 (see instructions, page 5) .....	<b>12.</b>			
<b>13</b> Subtract line 12 from line 11 or line 11e. If line 12 is more than line 11 or 11e, leave blank .....	<b>13.</b>			
<b>14</b> For each period, enter the total amount of other New York State taxes reported on Form IT-201, line 45; Form IT-203, line 49; or Form IT-205, lines 12 and 13 .....	<b>14.</b>			
<b>15</b> Add lines 13 and 14 .....	<b>15.</b>			
<b>16</b> Enter the applicable portion of any credits claimed on Form IT-216, line 14; Form IT-150, lines 38 and 40 through 43; Form IT-201, lines 63 and 65 through 68; Form IT-201-ATT, lines 14 and 15; Form IT-203-ATT, lines 9, 10, 12, and 14; or Form IT-205, line 33 .....	<b>16.</b>			
<b>17</b> Total annualized tax (subtract line 16 from line 15) .....	<b>17.</b>			
<b>18</b> Percentage .....	<b>18.</b> 22.5%	<b>45%</b>	<b>67.5%</b>	<b>90%</b>
<b>19</b> Multiply line 17 by line 18 .....	<b>19.</b>			
<b>20</b> Enter the amount from line 25 of Worksheet 2, and/or the amount from line 9 of Worksheet 3 .....	<b>20.</b>			
<b>21</b> Add lines 19 and 20 .....	<b>21.</b>			
<b>22</b> Add the combined amounts of line 26 from all preceding columns	<b>22.</b>			
<b>23</b> Subtract line 22 from line 21. If less than zero, enter 0 .....	<b>23.</b>			
<b>24</b> For each payment period, divide the amount from Form IT-2105.9, line 17 by four, and add amount from this worksheet, line 25, preceding column .....	<b>24.</b>			
<b>25</b> If line 24 is more than line 23, subtract line 23 from line 24. Otherwise enter 0.	<b>25.</b>			
<b>26 Required installments.</b> Enter the smaller of line 23 or line 24 here and on Form IT-2105.9, line 25 .....	<b>26.</b>			

**Worksheet 2 — Annualized income installment — New York City**

Use Worksheet 2 below to compute the amount to be included on line 20 of Worksheet 1. You can transfer the amounts from lines 1 through 10 of Worksheet 1 to Worksheet 2 if you are required to complete both worksheets. The estate or trust New York adjusted gross income should be computed using the *Estates and trusts line 1 worksheet* on page 4 of these instructions.

**Line 11** — Compute the tax on the amount on Worksheet 2, line 10, using the New York City tax computation (tax rate schedule) in the instructions for 2009 Form IT-150/IT-201, Form IT-360.1, or Form IT-205.

**Worksheet 3 — Annualized income installment — Yonkers**

Use Worksheet 3 on page 8 to compute the amount to be included on line 20 of Worksheet 1. If you are computing annualized installments of the Yonkers nonresident earnings tax, skip lines 1 through 3 of Worksheet 3 and start with line 4.

**Worksheet 2 — Annualized income installment — New York City**

**Estates and trusts — Use the following ending dates in each column:**  
**2/28/09, 4/30/09, 7/31/09 and 11/30/09**

	a 1/1/09 - 3/31/09	b 1/1/09 - 5/31/09	c 1/1/09 - 8/31/09	d 1/1/09 - 12/31/09
<b>1</b> New York City adjusted gross income for period .....	<b>1.</b>			
<b>2</b> Annualization amounts ( <i>estates and trusts — see instructions</i> ) .....	<b>2.</b> <b>4</b>	<b>2.4</b>	<b>1.5</b>	<b>1</b>
<b>3</b> Annualized New York City adjusted gross income ( <i>multiply line 1 by line 2</i> ) ...	<b>3.</b>			
<b>4</b> Itemized deductions for period shown ( <i>if you do not itemize deductions, skip lines 4, 5 and 6</i> ). Estates and trusts — enter <b>0</b> , skip to line 8 and enter the amount from line 3 on line 8 .....	<b>4.</b>			
<b>5</b> Annualization amounts .....	<b>5.</b> <b>4</b>	<b>2.4</b>	<b>1.5</b>	<b>1</b>
<b>6</b> Multiply line 4 by line 5 .....	<b>6.</b>			
<b>7</b> Standard deduction .....	<b>7.</b>			
<b>8</b> Subtract line 6 or line 7 from line 3 .....	<b>8.</b>			
<b>9</b> Multiply \$1,000 by the number of dependent exemptions claimed. Estates and trusts — enter the federal exemption amount .....	<b>9.</b>			
<b>10</b> Annualized taxable income ( <i>subtract line 9 from line 8</i> ) .....	<b>10.</b>			
<b>11</b> Compute the tax on the amount on line 10 ( <i>see instructions above</i> ) ....	<b>11.</b>			
<b>12</b> Enter for each period the total amount of the New York City tax on the capital gain portion of any lump-sum distribution from Form IT-201-ATT, line 33; Form IT-360.1, line 52; or Form IT-205, line 16 .....	<b>12.</b>			
<b>13</b> Add lines 11 and line 12 .....	<b>13.</b>			
<b>14</b> Enter the applicable portion of any credits claimed on Form IT-150, line 31; Form IT-201, line 48; Form IT-201-ATT, lines 9 and 9a; Form IT-203, line 52b; Form IT-360.1, line 49; or Form IT-205, line 18 .....	<b>14.</b>			
<b>15</b> Subtract line 14 from line 13. If line 14 is more than line 13, leave blank .....	<b>15.</b>			
<b>16</b> For each period enter the New York City tax on the ordinary income portion of any lump-sum distribution from Form IT-201-ATT, line 32; Form IT-360.1, line 51; or Form IT-205, line 20 .....	<b>16.</b>			
<b>17</b> Add lines 15 and 16 .....	<b>17.</b>			
<b>18</b> Enter the applicable portion of the New York City UBT credit from Form IT-201-ATT, line 8; Form IT-360.1, line 54; or Form IT-205, line 22 .....	<b>18.</b>			
<b>19</b> Subtract line 18 from line 17 .....	<b>19.</b>			
<b>20</b> For each period, enter the amount of New York City minimum income tax reported on Form IT-201-ATT, line 31; Form IT-203, line 52; or Form IT-205, line 24 .....	<b>20.</b>			
<b>21</b> Add lines 19 and 20 .....	<b>21.</b>			
<b>22</b> Enter the applicable portion of any credits claimed on Form IT-216, line 24; Form IT-150, lines 44 and 45; Form IT-201, lines 69 and 70; Form IT-201-ATT, line 16; Form IT-203, line 60; or Form IT-203-ATT, lines 9a, 11, and 15 .....	<b>22.</b>			
<b>23</b> Total annualized tax ( <i>subtract line 22 from line 21</i> ) .....	<b>23.</b>			
<b>24</b> Percentage .....	<b>24.</b> <b>22.5%</b>	<b>45%</b>	<b>67.5%</b>	<b>90%</b>
<b>25</b> Multiply line 23 by line 24. Enter the result here and include on Worksheet 1, line 20, in the proper column .....	<b>25.</b>			

**Worksheet 3 – Annualized income installment – Yonkers**

<b>Estates and trusts – Use the following ending dates in each column:</b>				
	<b>a</b>	<b>b</b>	<b>c</b>	<b>d</b>
	<b>1/1/09 - 3/31/09</b>	<b>1/1/09 - 5/31/09</b>	<b>1/1/09 - 8/31/09</b>	<b>1/1/09 - 12/31/09</b>
	<b>2/28/09, 4/30/09, 7/31/09 and 11/30/09</b>			
<b>1</b> Enter the amount from Worksheet 1, line 19 .....	<b>1.</b>			
<b>2</b> Percentage .....	<b>2.</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>
<b>3</b> Multiply line 1 by line 2 .....	<b>3.</b>			
<b>4</b> For each period, enter the Yonkers nonresident earnings tax from Form IT-150, line 34; Form IT-201, line 56; Form IT-203, line 53; or Form IT-205, line 27 .....	<b>4.</b>			
<b>5</b> Percentage .....	<b>5.</b>	<b>22.5%</b>	<b>45%</b>	<b>67.5%</b>
<b>6</b> Multiply line 4 by line 5 .....	<b>6.</b>			
<b>7</b> Add line 3 and line 6 .....	<b>7.</b>			
<b>8</b> Enter any amount from Form IT-201-ATT, line 17, or Form IT-203-ATT, line 16...	<b>8.</b>			
<b>9</b> Subtract line 8 from line 7. Enter here and include on Worksheet 1, line 20, in the proper column .....	<b>9.</b>			

(continued)



**New York State tax rates**  
Use only to compute your 2009 tax for Worksheet 1, column a.

Married filing jointly and qualifying widow(er)			
If Worksheet 1, line 10 is:		The tax is:	
over	but not over		
\$ 0	\$16,000	4%	of line 10
16,000	22,000	\$ 640 plus 4.5%	of the excess over \$16,000
22,000	26,000	910 plus 5.25%	" " " 22,000
26,000	40,000	1,120 plus 5.9%	" " " 26,000
40,000		1,946 plus 6.85%	" " " 40,000

Single, married filing separately, and estates and trusts			
If Worksheet 1, line 10 is:		The tax is:	
over	but not over		
\$ 0	\$8,000	4%	of line 10
8,000	11,000	\$ 320 plus 4.5%	of the excess over \$8,000
11,000	13,000	455 plus 5.25%	" " " 11,000
13,000	20,000	560 plus 5.9%	" " " 13,000
20,000		973 plus 6.85%	" " " 20,000

Head of household			
If Worksheet 1, line 10 is:		The tax is:	
over	but not over		
\$ 0	\$11,000	4%	of line 10
11,000	15,000	\$ 440 plus 4.5%	of the excess over \$11,000
15,000	17,000	620 plus 5.25%	" " " 15,000
17,000	30,000	725 plus 5.9%	" " " 17,000
30,000		1,492 plus 6.85%	" " " 30,000

**If Worksheet 1, line 3 is \$100,000 or less —**

If your New York adjusted gross income (Worksheet 1, line 3) is **\$100,000 or less**, find your New York State tax on the amount on line 10 by using the *New York State tax rates*, above. After you have computed the correct tax, enter that amount on line 11.

**If Worksheet 1, line 3 is more than \$100,000 but not more than \$150,000 —**

If the amount on Worksheet 1, line 3, is **more than \$100,000 but not more than \$150,000**, you must compute your tax using **Tax computation worksheet 1** below.

**If Worksheet 1, line 3 is more than \$150,000 —**

If the amount on Worksheet 1, line 3, is **more than \$150,000**, you must compute your tax using **Tax computation worksheet 2** below.

— Notes —

**Tax computation worksheet 1**

1. Enter your New York AGI from Worksheet 1, line 3 .. 1. \_\_\_\_\_
2. Enter your taxable income from Worksheet 1, line 10 .. 2. \_\_\_\_\_
3. Multiply line 2 by 6.85% (.0685) ..... 3. \_\_\_\_\_
4. Enter your NYS tax on the line 2 amount using the *New York State tax rates* above ..... 4.
5. Subtract line 4 from line 3 ..... 5. \_\_\_\_\_
6. Enter the excess of line 1 over \$100,000 (*cannot exceed \$50,000*) ..... 6. \_\_\_\_\_
7. Divide line 6 by \$50,000 and round the result to the fourth decimal place (*cannot exceed 1.0000*) ..... 7. \_\_\_\_\_
8. Multiply line 5 by line 7 ..... 8.
9. Add lines 4 and 8.  
**Enter here and on Worksheet 1, line 11. .... 9. \_\_\_\_\_**

**Tax computation worksheet 2**

1. Enter your taxable income from Worksheet 1, line 10 .. 1. \_\_\_\_\_
2. Multiply line 1 by 6.85% (.0685).  
**Enter here and on Worksheet 1, line 11. .... 2. \_\_\_\_\_**

— Notes —