



City of Yonkers Nonresident Fiduciary Earnings Tax Return

For the full year January 1, 1998, through December 31, 1998, or fiscal tax year beginning and ending

Table with 2 rows and 4 columns, containing the year 1998.

Attach this return to the back of Form IT-205.

Name of estate or trust
Name and title of fiduciary

Employer identification number

A. Check this box if the income reported on this return represents an allocated portion of income from services performed, or from sources, in and out of the city of Yonkers. If so, attach a detailed statement of the allocation (see instructions below).

Calculation of Earnings Tax

Table with 9 rows for calculation steps and 10 rows for final tax calculation, including columns for amounts and percentages.

Instructions

General

You may wish to obtain a copy of Form IT-205-P before completing this return. There are additional general instructions found within that packet relating to the city of Yonkers nonresident fiduciary earnings tax return.

New For 1998

Taxpayer Bill of Rights - Claim of Right - Form IT-257

If the estate or trust was eligible for a claim of right credit on its federal return, the estate or trust may also be eligible for a refundable credit against its city of Yonkers nonresident earnings tax on its New York State return.

Who Must File

The fiduciary of a nonresident estate or trust must file Form Y-206, City of Yonkers Nonresident Fiduciary Earnings Tax Return, if the estate or trust has income from wages or net earnings from self-employment in Yonkers.

Print or type the name of the estate or trust and the name and title of the fiduciary in the spaces provided. Enter the federal employer identification number of the estate or trust.

Item A

If wages or net earnings from self-employment were earned partially in Yonkers, you must determine the amounts to be allocated to the city as follows.

Allocation of wages

If wage or salary income does not depend directly on the volume of business transacted, divide the number of days worked in Yonkers

by the total number of days (excluding nonwork days, such as Saturdays, Sundays, holidays, sick leave, vacation, etc.) worked both in and out of the city during the year. Multiply the total wage or salary income for the year by this percentage. This is the amount of wages allocated to Yonkers.

If the income subject to the allocation depends entirely on the volume of business transacted, as in the case of a salesperson working on commission, do not allocate the wages based on the number of days worked in Yonkers. Instead, divide the volume of business transacted in Yonkers by the total volume of business transacted both in and out of the city by that person.

If the income earned from personal services was allocated differently from that covered in the preceding paragraphs, attach a schedule showing complete details.

Allocation of net earnings from self-employment

If the business that produces the earnings has no regular place of business out of Yonkers, allocate all net earnings from self-employment to the city.

If the books and records fairly and equitably show net earnings from self-employment in Yonkers, figure the part to be allocated to the city from these books and records.

If the Yonkers net earnings cannot be determined from the books and records, make the allocation by multiplying total net earnings from self-employment by the average of the following three percentages:

1. The property percentage is computed by dividing (a) the average value of real and tangible personal property connected with net earnings from self-employment and located in Yonkers, by (b) the

Instructions (continued)

average value of all real and tangible personal property connected with the net earnings from self-employment and located both in and out of the city. Include both owned and rented real property.

The average value of property is determined by (1) adding its adjusted basis at the beginning of the taxable year to its adjusted basis at the end of the taxable year and (2) dividing by two.



2. The payroll percentage is computed by dividing (a) the total wages, salaries and other personal service compensation paid or incurred during the taxable year to employees in connection with the net earnings from self-employment derived from a trade or business carried on in Yonkers, by (b) the total of all wages, compensation paid or incurred during the taxable year to employees in connection with the net earnings from self-employment derived from a trade or business carried on both in and out of the city.

3. The gross income percentage is computed by dividing (a) the gross sales or charges for services performed by or through an agency located in Yonkers, by (b) the total of all gross sales or charges for services performed in and out of the city. Allocate to Yonkers all sales negotiated or consummated, and charges for services performed by an employee, agent, agency, or independent contractor chiefly situated at, connected by contract or otherwise with, or sent out from, offices or other agencies of the trade or business situated in the city and from which the estate or trust is deriving net earnings from self-employment.

Special rule for real estate

Income and deductions from the rental of real property and gain and loss from the sale, exchange or other disposition of real property are not subject to allocation but are considered entirely derived from or connected with the place where the property is located.

Calculation of Earnings Tax

The estate or trust is not liable for Yonkers earnings tax on nonresidents in an amount greater than it would be required to pay if it were a Yonkers resident estate or trust subject to the city's income tax surcharge on resident estates or trusts. Use Form IT-205 and instructions to determine the tax liability as if a resident estate or trust.

Example: If the estate or trust had losses that entered into the computation of its taxable income computed as if a resident, or if it would qualify to claim the city of Yonkers claim of right tax credit when computing its tax as if a resident, then the city income tax surcharge computed as a resident may be lower than the actual city of Yonkers nonresident earnings tax computed. The fiduciary would therefore be allowed to pay the amount of tax computed as a city resident. If the amount of income tax surcharge computed as a Yonkers resident is less than its Yonkers nonresident earnings tax, attach a separate schedule to Form Y-206 showing the computation. Enter the computed Yonkers resident income tax surcharge on line 10 of Form Y-206.

Line 1 Net earnings from self-employment — Net earnings from self-employment is defined in the fiduciary income tax return packet, IT-205-P, under City Nonresident Fiduciary Earnings Tax. Enter the net earnings for the taxable year. This is the amount reported on federal Form 1040, Schedule SE, *Self-Employment Tax*, Section A, line 4 or Section B, line 4c, minus the deduction for wages or salaries paid or incurred for the taxable year that was disallowed according to section 280C of the Internal Revenue Code (IRC). See the preceding instructions if allocation is required. Attach a detailed statement showing the computation of the net earnings, including the gross income from the underlying trade or business and the deductions prescribed in section 1402(a) of the IRC.

Line 2 — Enter any amount included on line 1 that was paid or permanently set aside for charitable purposes in accordance with section 642(c) of the IRC.

Line 4 — Enter any amount included on line 1 that was distributed or distributable to Yonkers residents in accordance with sections 651 or 661 of the IRC.

Line 6 Gross wages and other employee compensation — The definitions of wages and other employee compensation are in the fiduciary income tax return packet, IT-205-P, under City Nonresident Fiduciary Earnings Tax. Enter on line 6 the wages and other employee compensation earned during the taxable year. See the preceding instructions if allocation is required.

Line 8 Allowable exclusion — The estate or trust is allowed an exclusion against the total wages and net earnings from self-employment received during the taxable year.

If a trust changed its residence to or from Yonkers during its taxable year or if an estate or trust had a taxable period of less than one year, then that estate or trust has to prorate its allowable exclusion. To do this, count any period of more than one-half month as a full month; do not count any period of one-half month or less. Then use the *Exclusion Table* below to find the amount of the estate's or trust's allowable exclusion.

Exclusion Table

No. of months of city of Yonkers nonresidence or of short taxable year	Total of Wages and Net Earnings* (sum of lines 1 and 6)					
	over \$ 0	but not over \$10,000	over \$10,000	but not over \$20,000	over \$20,000	but not over \$30,000
12		\$3,000		\$2,000		1,000
11		2,750		1,833		917
10		2,500		1,667		833
9		2,250		1,500		750
8		2,000		1,333		667
7		1,750		1,167		583
6		1,500		1,000		500
5		1,250		833		417
4		1,000		667		333
3		750		500		250
2		500		333		167
1		250		167		83

* If the total of wages and net earnings exceeds \$30,000 for the year, there is no exclusion amount.

Line 10 Total nonresident earnings tax — Enter the tax on line 10 and on New York State Form IT-205, line 28. Attach Form Y-206 to the back of Form IT-205.

Privacy Notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions, and forms, is found in Articles 22, 26, 26-A, 26-B, 30, 30-A, and 30-B of the Tax Law; Article 2-E of the General City Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs. Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.