



# 2009 CITY OF FLINT, MICHIGAN

## INCOME TAX INSTRUCTIONS FOR NON-RESIDENT RETURNS, FORM F1040-N

### WHO MUST FILE A TAX RETURN

- 1) Every Non-resident individual whose gross income was greater than the exemption allowance for 2009 from sources listed under "What is Taxable Income" and every trust and estate which had gross income from sources listed under "What is Taxable Income" must file a return by April 30, 2010.
- 2) Even though tax was withheld by employer or estimated tax payments were made, a return must be filed.
- 3) If income for the year was less than exemption allowance and tax was withheld, a return must be filed to claim a refund.
- 4) Blank

### WHO MUST USE THIS FORM

- 5) If all of your income subject to Flint income tax during 2009 was received while a non-resident, you must use this form, F-1040-N Individual Form Non-resident. If you were a resident of Flint any time during 2009, see instructions below (paragraph 8).
- 6) Estates and trusts must also use this form.
- 7) If all of your income is from a partnership which elects to file and pay the tax for all of the partners, it is not necessary for the partners to file individual returns unless they have income in addition to partnership income. If a partner does have income in addition to partnership income, he must include his distributive share of Flint income in this return and take credit on line 9C, page 1, for tax payments made by the partnership in his behalf.

### CHANGE OF RESIDENCE DURING TAXABLE YEAR

- 8) If you were a Flint resident during any part of 2009, do not use this form. You must use the resident form, F-1040-R.

### MARRIED PERSONS - JOINT OR SEPARATE RETURNS

- 9) A husband and wife may file a joint return or separate returns. The total income of both spouses must be included on a joint return, and each spouse must sign the return.

### WHAT IS TAXABLE INCOME

- 10) The only types of income taxable to a non-resident are the following:
  - (A) Compensation received for work done or services performed in Flint, including severance pay, sick pay and vacation pay.
  - (B) The net profits from the operation of a business or profession attributable to business activity conducted in Flint, whether or not such business is located in Flint.
  - (C) Net profits from rentals, from real and tangible property located in Flint.
  - (D) Gain from the sale or exchange of real and tangible personal property located in Flint.
  - (E) Distributions from employee's savings or retirement stock purchase and profit sharing plans received because of services rendered as an employee for work done or services performed in Flint.
  - (F) IRA distributions and deferred compensation distributions (for which a deduction has been previously taken on a Flint return). IRA distributions are not taxable if you are over 59½.

### WHAT IS EXEMPT INCOME

- 11) The following kinds of income are not taxable and should not be reported.
  - (A) Gifts, inheritances and bequests, lottery and gambling winnings.
  - (B) Pensions and annuities, including disability pensions (issued by employer on W-2-P or 1099-R).
  - (C) Proceeds of insurance (except that payments from a health and accident policy paid for by your employer are taxable the same as other sick and/or disability pay, to the same extent as provided by the Federal Internal Revenue Code).
  - (D) Unemployment compensation, supplemental unemployment benefits, welfare relief payments.
  - (E) Worker's compensation, or similar payments for death, injury or illness arising out of and in the course of an employee's job.
  - (F) Interest, dividends and other forms of intangible income. When the receipt of interest and other intangible income is part of the business, such interest, etc. shall be considered as business income taxable to non-residents, and is to be reported on Federal Schedule C.
  - (G) Military pay of members of the National Guard and the Armed Forces of the United States.
  - (H) Income that the non-resident receives as a result of disability after exhausting all vacation pay, holiday pay, and sick pay.

### INSTRUCTIONS FOR PAGE 1, FORM 1040-N

- 12) **Line 1** - Enter employer's name, complete address (street, city and state) where employed (**where your actual work station is located**), amount of Flint Income Tax withheld from your wages, and total Federal wages received (**box #1 of Federal form W-2**) for each separate employment.
- 13) **Line 2** - Enter here, in appropriate columns, totals of all wages and withholding taxes claimed on Line 1 above.

- 14) **Line 3** - Enter amount to be deducted for wages not earned in the City of Flint. **Complete Schedule B**, page 2 of return.
- 15) **Line 4** - Enter total of all other Flint income, losses and deductions from Schedule A, page 2 of return. See instructions below and on page 2 of return for completing Schedule A.
- 16) **Line 6** - An exemption of \$600 is allowed for the taxpayer, for the taxpayer's husband or wife if filing joint, and for each dependent. The same rules apply in determining dependents as under the Federal Internal Revenue Code. Additional exemptions are allowed if the taxpayer or spouse is: 65 or older, blind, deaf, or totally and permanently disabled.

### INSTRUCTIONS FOR SCHEDULE A

- 17) Enter on Schedule A income from:
  - (A) Sales and exchanges of property located in Flint - Enter on line 1 of Schedule A.
    1. Gains or losses from the sale or exchange of property located in Flint are treated in the same manner, and the amount subject to tax determined on the same basis, as under the Federal Internal Revenue Code. Attach Federal Schedule D, and/or Form 4797 and/or Form 6252.
    2. The City of Flint Income Tax became effective on January 1, 1965, therefore only the portion of the gain or loss occurring in Flint from January 1, 1965, to date of disposition shall be recognized for purposes of the Flint income tax. Attach a copy of Federal Schedule D.
  - (B) Rents and Royalties on property located in Flint - Enter on line 2, Schedule A. Attach copy of Federal Schedule E and Form 8582.
  - (C) Profit (or loss) earned inside Flint from business or profession - Enter on line 3a, Schedule A.
    1. If all your business was conducted in the city, enter 100% on line 3b. If you have business activity both in and out of the city complete Schedule D. Multiply Line 3a by 3b, enter on line 3c. Attach copy of Federal Schedule C.
    2. A net operating loss carryover applicable to Flint may be taken on line 9, Schedule A. Attach copy of 2008 Flint income tax return.
  - (D) Other Flint income, income from partnerships, estates, trusts, etc., located in Flint - Enter on line 4, Schedule A. Attach Federal Schedules K-1's, Form 8582 and Form 1099.
    1. A partnership located or doing business in Flint is required to file an information return on form F-1065. It may, if it elects, pay the tax on behalf of its partners. Report your share of the partnership income (or loss) on line 4 of Schedule A, enter your share of ordinary income only. Your share of rental income, capital or other gains or losses, etc., is treated as belonging to you as an individual and should be entered on lines 1 and 2 of Schedule A. If the partnership pays the tax on behalf of the partners, enter your share of the tax as a credit on line 9C of page 1.
    2. Businesses, trusts, etc. who file with the Federal Internal Revenue Service as Corporations will also file as corporations with the Flint Income Tax Office.
    3. All corporations must file as corporations with the Flint Income Tax Office even though certain corporations and Sub-Chapter S Corporations can file as partnerships with the Federal Internal Revenue Service.
  - (E) IRA distributions and deferred compensation distributions (for which a deduction has been previously taken on a Flint return) - Enter amount on line 5, Schedule A. See paragraph 10(F).

### DEDUCTIONS ALLOWED

- 18) Under the City of Flint Income Tax Ordinance, no deductions are allowed for personal expenses such as taxes on your home, church and charitable deductions and medical expenses.
- 19) The only deductions or exclusions are listed below. These deductions and exclusions are to be pro-rated at the same percentage as the income to which they apply is taxable to Flint.
  - (A) Employee Business Expenses. These expenses are allowed only to the extent not paid by your employer and are limited to the following:
    1. Expenses of travel, meals and lodging while away from home.
    2. Expenses as an outside salesman, who works away from his employer's place of business (does not include driver-salesmen whose primary duty is service and delivery).
    3. Expenses of transportation (but not transportation to and from work).
    4. Expenses reimbursed under an expense account or other arrangement with your employer, if the reimbursement has been included in gross earnings reported.
  - (B) Self-employment Retirement Deduction in accordance with section 404 of Federal Internal Revenue Code.
  - (C) Individual Retirement Account in accordance with section 219 of Federal Internal Revenue Code (attach Form 5498, issued by your financial institution). Allocate deduction at same percentage as income taxable to Flint.

(D) Moving Expenses (into this taxing area only, attach Form 3903).

(E) Alimony, separate maintenance payments and principle sums payable in installments to the extent inclusive in the spouse's adjusted gross income under the Federal Internal Revenue Code.

(F) Renaissance Zone Deduction - New for 2009 - The Renaissance Zone Deduction is limited to 75% of income. This deduction may be claimed by individual taxpayers who have income from rental real estate, an individual proprietorship (Federal Schedule C Business) or partnership that has business activity within any of the City of Flint Renaissance Zones, Those individuals who qualify for the deduction must attach a copy of the approval letter for 2009 issued by the Assessment Division.

Enter on line 10, Schedule A.

**IMPORTANT: The above deductions (A thru E) are limited to the amount taken on your federal returns and by the extent they apply to income taxable under Flint Income Tax Ordinance. Any of the above deductions taken must be entered in Schedule A, page 2 of the return. A copy of the federal schedule(s) supporting such deductions MUST be attached.**

#### INSTRUCTIONS FOR SCHEDULE B

Non-residents who performed only part of their services in Flint, show in column headed "Federal Wages Reported on Form(s) W-2"(page 1), the full amount of your Federal earnings as recorded in **box #1 of your W-2 statement**. Compute the deduction to be entered on line 3 by filling in schedule B, page 2. See instructions below for completion of Schedule B.

**Line 1** - Enter only the number of days you were on the job. You are not on the job when there is a holiday, or when you are sick, or on vacation. Example: a construction worker worked 216 days in Flint and 24 days out of Flint, or a total of 240 working days. He would report 240 days.

**Line 2** - Enter the actual number of days you worked outside of Flint.

**Line 3** - Enter the address where your work was performed outside the City of Flint. Complete address must be given; street number, street name, city and state.

**Line 4** - Enter the percentage of days worked outside of Flint. Divide line 2 by line 1.

**Line 5** - Enter your total wages as shown in box 1 of your Federal copy of your W-2.

**Line 6** - Enter the dollar amount of wages earned outside Flint, multiply line 5 by the percentage calculated on line 4.

**NOTE** - Instead of using days worked, employees paid on a commission basis should multiply their total wages by the ratio of commissions earned out of Flint to total commissions earned.

#### INSTRUCTIONS FOR SCHEDULE D

**Line 1** - Enter on column I the average net book value of all real and tangible personal property owned by the business regardless of location. In Column II show the average net book value of the real and tangible personal property owned and located in the city. The average net book value of real and tangible property may be determined by adding the net book value at the beginning of the year and the net book value at the end of the year and dividing the sum by two. If this method will not properly reflect the average net book value, any other method that will accurately reflect it will be permitted.

**Line 1a** - Enter in Column I the gross annual rent for all rented real property regardless of location. In Column II show the gross annual rent for rented real property located in the city.

**Line 1b** - Add lines 1 and 1a, enter total in Columns I and II. Enter percentage in Column III (Column II divided by Column I).

**Line 2** - Enter in Column I the total compensation paid to employees during the year. In Column II show the compensation paid to employees for work or services performed within the city.

**Line 3** - Enter in Column I the total gross revenue from all sales or services rendered during the year. In Column II show the amount of revenue earned in the city.

**Line 4** - Add the percentages on Lines 1b, 2 and 3, enter the total.

**Line 5** - Compute the average of the percentages listed on Line 4 (divide Line 4 by 3). However, if a factor does not exist, divide the sum of the percentages by the number of factors actually used.

#### COMPUTATION OF TAX

**20)** On page 1, subtract line 3 from line 2, then add or (subtract) line 4, enter total on line 5, subtract exemptions on line 6 and enter net taxable income on line 7. Multiply this by 1/2% (.005) to determine the City of Flint tax, and enter tax on line 8.

**21) Filer assumes full liability for errors in computation of tax.** Penalty and interest shall be applied per Public Act 284 of the Michigan Compiled Laws for failure to pay the full amount of tax by April 30, 2010. If the total interest or interest and penalty to be assessed is less than \$2.00, a minimum charge of \$2.00 shall be assessed.

**22)** Computation errors will result in a delay in the issuance of refund checks.

#### PAYMENTS AND CREDIT

**23)** On line 9a, page 1, enter the amount of Flint tax withheld as shown on your FW-2 or W-2 statements. The city copy of your FW-2 or W-2 showing clearly the amount of Flint tax withheld must be submitted with your return before credit can be allowed for the Flint tax withheld.

**24)** On line 9b, page 1, enter the amount of any payments you made on your 2009 City of Flint Declaration of Estimated Tax (Form F-1040-ES). Also, enter 2009 credit taken from your 2008 Flint income tax return.

**25)** On line 9c, page 1, enter any Flint income tax paid in your behalf by any partnership of which you are a partner. You must, of course, enter your income from such partnership on line 4, Schedule A, page 2 of return.

#### TAX DUE OR REFUND

**26)** Amount you owe - Enter on line 11, page 1. After computing your Flint Income tax and deducting your credits, **if the balance due is one dollar (\$1.00) or more, it must be paid when filing this return.** Tax due of less than one dollar (\$1.00) need not be paid, however a return must be filed. Make check or money order payable to the "Treasurer, City of Flint" and mail with this return to: Treasurer, City of Flint, Income Tax Office, P.O. Box 99, Flint, MI 48501-0099.

**27)** Amount due you - Enter on line 12, page 1. If your payment and credits exceed the tax, show the amount of such over-payment on line 12 and check the proper box on line 13 to indicate whether you wish the over-payment as a refund or as a credit on your 2010 estimated tax, and mail to: Treasurer, City of Flint, Income Tax Office, P.O. Box 1800, Flint, MI 48501-1800. Refunds will be made as quickly as possible, but please allow 90 days before making any inquiry. Refunds of less than one dollar (\$1.00) will not be made. Over-payments of less than one dollar (\$1.00) will not be applied as a credit on next year's tax return.

#### DECLARATION OF ESTIMATED TAX

**28)** You must make estimated income tax payments if you expect to owe more than \$100 when you file your 2010 annual return. This is after crediting amounts you paid through withholding and all other credits. Estimated payments are due April 30, June 30, September 30, and January 31. Interest and penalty will be assessed for failure to comply with this provision. Exception: If you owe more than \$100 you may not have to make estimated payments if you expect your 2010 withholding and credits to be at least 70 percent of your total 2010 or 2009 tax (line 8). If you filed estimates for 2009, the City of Flint will send you personalized forms for 2010. Otherwise, request Form F-1040-ES.

#### AMENDED RETURNS

**29)** Amended returns should be filed on regular City of Flint income tax return clearly labeled as amended and the tax year applicable. Computations should show corrected amounts and include adjustments for payments made or refunds received on original return. Explanation must be included for amended returns.

#### TAXPAYER'S RIGHT OF APPEAL

**30)** In accordance with Section 92, City of Flint Income Tax Ordinance, "a taxpayer or employer may file a written notice of appeal with the secretary of the income tax board of review within 30 days after receipt of a final assessment, denial in whole or in part of a claim for refund, or special ruling of the administrator." The board of review shall grant the appellant a hearing and render a decision based on evidence presented by both the city and the appellant.

#### EXTENSIONS

**31)** You may request more time to file your return by sending payment of your estimated annual liability to the City of Flint with a written request for an extension (up to six months) on or before the due date of your return. If you underestimate your tax due and do not pay enough with your extension request, you must pay interest and penalty on the unpaid amount. Do not request an extension if you will be claiming a refund.

#### ASSISTANCE

**32)** If you have any questions not answered in this instruction sheet, or if you need assistance in preparing your return, call (810) 766-7015 or visit the Income Tax Office. Questions by mail should be directed to:

Income Tax Administrator  
City of Flint Income Tax Office  
1101 S. Saginaw Street  
Flint, MI 48502  
www.cityofflint.com