



Borough of Milltown
Planning Board
39 Washington Ave.
Milltown, NJ 08850
(732)828-2100 ext. 139

Planning Board Variance Application

*Must submit (19) copies of application, plans,
survey etc.*

Date
received:

**THIS FULLY COMPLETED FORM MUST BE FILED WITH THE BOARD SECRETARY IN ACCORDANCE
WITH THE ANNUAL CALENDAR SUBMISSION SCHEDULE**

Applicant's Name:	_____	Application Number:	_____
Applicant's	_____		_____
Address:	_____	Block #:	_____ Lot #: _____
	_____	Application Fee:	_____
Phone:	_____	Escrow Fee:	_____
Contact Email:	_____	Date Filed:	_____

1. If applicant is not the legal owner of the property, please provide the following:

- Name of owner: _____
- Address of owner: _____
- Applicant's interest in the property: _____ Date interest was acquired: _____
- If you are not the property owner you must attach a letter of authority from the property owner authorizing the applicant to act on his/her behalf for the purpose of this application, or a Copy of Contract of Sale of the Property.

2. Please select all that apply: Bulk Variance ☐ Use Variance ☐ Other ☐ Specify: _____

3. Please list each variance you are requesting and state the why the variance(s) is needed: (attach extra sheet if needed)

4. The premises affected are located at: _____

And shown on the Official Tax Map, Block # _____, Lot # _____, Zoning District: _____

Size of lot: Width: _____ (ft) Depth: _____ (ft) Area: _____ (square feet)

Size of building: Width: _____ (ft) Depth: _____ (ft) Area: _____ (square feet)

Main building setbacks: Proposed front setback: _____ (ft) Proposed rear setback: _____ (ft)

Proposed left side setback: _____ (ft) Proposed right side setback: _____ (ft)



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Proposed number of stories: _____ Building height in feet: _____(ft)

Percent of lot coverage by all buildings: Existing: _____% Proposed: _____%

Percent of lot coverage by all buildings and pavement: Existing: _____% Proposed: _____%

Accessory building will be set back from: Side property line: _____(ft) Rear property line: _____(ft)

5. Present type of occupancy or use: _____
6. Proposed type of occupancy or use: _____
7. Attach in duplicate, an original sealed survey of the site showing the actual dimensions of the site under consideration.
8. Attach in duplicate, a sealed plan drawn to scale showing the actual dimensions of the site under consideration, proposed locations of buildings and accurate dimensions thereof. If any signs or other design elements are proposed, attach a drawing showing dimension and details. The above plan or sketch shall bear the seal of a licensed professional engineer or architect in the State of New Jersey or in lieu thereof an affidavit sworn to the person who prepared them as to the accuracy of measurements thereon.
9. Office of the Tax Collector Verification (To be completed by the Tax Search Officer of the Borough of Milltown)

The Tax records at this office indicate that there ☐ are ☐ are not delinquent taxes or assessments on the above-described properties know as Block: _____, Lot: _____.

/s/ _____

Tax Search Officer/Tax Collector

I swear or affirm that made by me are true. I am aware that if any of the forgoing statements made by me are willfully false, I am subject to punishment by contempt of court.

Applicant's Signature

Applicant's Name Date

Sworn and subscribed before me,
This _____ day of _____, 20____

Notary Public, State of New Jersey

Notes: _____



Borough of Milltown
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Planning Board Tax Clearance Certificate

Name of Applicant _____ Block _____ Lot _____

Applicant E-mail _____ Phone Number _____

Address of Applicant: _____
Address Town State Zip Block Lot

Address of Affected Premise _____
Address Town Milltown

Tax Clearance Certifications

I, Kelly McCormick, Tax Collector of the Borough of Milltown, do hereby certify and affirm that no taxes are due or delinquent on the following block and lots as shown on the Tax Map of the Borough of Milltown.

Block(s) _____

Lot(s) _____

Taxes paid through _____
(Year/ Quarter) _____

Paid on _____

Signature of Tax Collector, Kelly McCormick

Date

Signature of Applicant or Representative

Date



Borough of Milltown
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Planning Board Affidavit of Applicant

Name of Applicant _____ Block _____ Lot _____

Applicant E-mail _____ Phone Number _____

Address of Applicant: _____
Address Town State Zip Block Lot

Address of Affected Premise _____
Address Town Block Lot

Affidavit of Applicant

_____, of full age, being duly sworn according to law, on oath deposes and says that all of the statements contained in the papers submitted herewith are true.

Stamp of Notary Public

Signature of Applicant

Sworn and Subscribed to me on this
_____ day of _____, _____

Signature of Notary Public



Borough of Milltown
Planning Board
39 Washington Ave.
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Planning Board Affidavit of Authorization

Name of Applicant _____ Block _____ Lot _____

Applicant E-mail _____ Phone Number _____

Address of Applicant: _____
Address Town State Zip Block Lot

Address of Affected Premise _____
Address Town Block Lot

Affidavit of Authorization

If anyone other than the owner is making this application the following authorization must be executed.

To the Planning Board:

_____ is hereby authorized to make the within application regarding the property known as _____.

Stamp of Notary Public

Signature of Owner

Sworn and Subscribed to me on this
_____ day of _____, _____

Signature of Notary Public



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Planning Board
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Planning Board Affidavit of Ownership

Name of Applicant _____ Block _____ Lot _____
Applicant E-mail _____ Phone Number _____
Address of Applicant: _____
Address Town State Zip Block Lot
Address of Affected Premise _____
Address Town Block Lot

Affidavit of Ownership

_____, of full age, being duly sworn according to law, on oath deposes and says that the deponent resides at _____ in the municipality of _____ County of _____ State of _____, that _____ is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the municipality aforesaid and known and designated as.

Stamp of Notary Public

Signature of Owner

Sworn and Subscribed to me on this
_____ day of _____, _____

Signature of Notary Public



Borough of Milltown
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Property Owners' 200 Ft. List Request Form

\$10.00 for each block/ lot

Name of Applicant _____ Fax Number _____

Applicant E-mail _____ Phone Number _____

Address of Applicant: _____
Address Town State Zip

Address of Affected Premise _____
Address Town Block Lot

Request for List(s) for *(Use one line for each individual Block and Lot):*

1.	Street Address	_____	Block	_____	Lot	_____
2.	Street Address	_____	Block	_____	Lot	_____
3.	Street Address	_____	Block	_____	Lot	_____
4.	Street Address	_____	Block	_____	Lot	_____
5.	Street Address	_____	Block	_____	Lot	_____
6.	Street Address	_____	Block	_____	Lot	_____
7.	Street Address	_____	Block	_____	Lot	_____
8.	Street Address	_____	Block	_____	Lot	_____
9.	Street Address	_____	Block	_____	Lot	_____
10.	Street Address	_____	Block	_____	Lot	_____

Please note preferred method of Record Delivery:

☐ E-mail _____

☐ Fax _____

☐ Mail _____

For office Use only

Fee of \$10.00 for each Block/Lot ☐ Cash ☐ Check # _____

Date received by the Clerk's Office _____

Date Completed by the Tax Assessor _____

Date Forwarded to Board and Applicant _____



Borough of Milltown
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Planning Board List of Property Owners Served

Name of Applicant _____ Block _____ Lot _____

Applicant E-mail _____ Phone Number _____

Address of Applicant: _____
Address Town State Zip Block Lot

Address of Affected Premise _____
Address Milltown Block Lot

List of Property Owners Served

The list of required names and addresses shall be obtained from the Municipal Clerk. This form shall be typewritten and shall clearly indicate the Type of Service utilized for each recipient.

Local Property Owners- Personal Service

Out of Town Property- Certified Mail, Return Receipt Requested

	<u>Name</u>	<u>Address</u>	<u>Type of Service</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____
12.	_____	_____	_____
13.	_____	_____	_____
14.	_____	_____	_____
15.	_____	_____	_____
16.	_____	_____	_____
17.	_____	_____	_____
18.	_____	_____	_____
19.	_____	_____	_____
20.	_____	_____	_____
21.	_____	_____	_____
22.	_____	_____	_____
23.	_____	_____	_____
24.	_____	_____	_____
25.	_____	_____	_____



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Planning Board Escrow Fee Calculation Sheet

Filed _____
 Hearing _____
 Disposition _____
 Cal. No. _____

Applicant's Name _____

Block _____

Lot _____

Applicant E-mail _____

Applicant Phone Number _____

Applicant Address _____

Project Name _____

Owner's Name _____

Owner Address _____

Federal ID # _____

Date Calculated _____

Mark with an X
if applicable

Description

Cost

Applicant Total

A. Variances

Fees shall be in addition to any site plan approval

	Use or "D" Variance (40:55D-70D)	\$ 1,000.00	
	Condition Use Approval (in addition to Site Plan or Subdivision Fees)	\$ 500.00	

B. Site Plans

Fees shall be in addition to any required Variances

1. Residential Site Plan (Involving dwelling Units)

a. Preliminary Site Plan

	1-9 Units	\$ 1,500.00	
	10-25 Units	\$ 3,000.00	
	26-50 Units	\$ 4,500.00	
	51-100 Units	\$ 6,000.00	
	Over 100 Units	\$ 7,500.00	

b. Final Site Plan

	Preliminary Fee	\$ -	x 20%	\$ -	
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Original Fee

Minimum Deposit of \$1,000

2. Non Residential Site Plan (Not involving dwelling units)

	a. Minor Site Plan	\$ 750.00	
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b. Preliminary Site Plan

(1) Applications with Principal Buildings over 1000 sf GFA

	1,001 to 2,500 sf GFA	\$ 1,500.00	
	2,501 to 5,000 sf GFA	\$ 2,500.00	
	5,001 to 10,000 sf GFA	\$ 4,000.00	
	10,001 to 15,000 sf GFA	\$ 6,000.00	
	15,001 to 20,000 sf GFA	\$ 8,000.00	
	20,001 to 25,000 sf GFA	#####	
	25,001 to 100,000 sf GFA	#####	
	over 100,000 sf GFA	#####	

(2) Applications without Principal Buildings over 1000sf GFA

	lot area up to an acre	\$ 1,000.00	
	1 to 5 acres	\$ 2,000.00	
	5 to 10 acres	\$ 3,000.00	

	over 10 acres	\$ 4,000.00	
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c. Final Site Plan

	Preliminary Fee	\$ -	x 20%	\$ -	
		<i>Original Fee</i>		<i>Minimum Deposit of \$1,000</i>	

C. Subdivisions

	1. Minor Subdivision (3 Lots or Less)	\$ 100.00	
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2. Preliminary Subdivision

	4 to 10 Lots	\$ 2,000.00	
	11 to 25 Lots	\$ 3,000.00	
	26 to 50 Lots	\$ 4,000.00	
	51 to 100 Lots	\$ 6,000.00	
	Over 100 Lots	\$ 7,500.00	

3. Final Subdivision

	4 to 25 Lots	\$ 1,000.00	
	26 to 100 Lots	\$ 2,000.00	
	Over 100 Lots	\$ 3,000.00	

D. Planned Unit Development (P.U.D.)

Fees shall be as for simultaneous major site plan and major subdivision application, with fees for residential and nonresidential development computed separately and hereafter cumulatively assessed upon the applicant

E. Concept Plans

	1. Minor Subdivision or Minor Site Plan	\$ 100.00	
	2. Major Subdivision	\$ 500.00	
	3. Site Plan involving over 1,001 sf GFA	\$ 500.00	
	4. Planned Unit Development or Use Variance	\$ 500.00	

F. General Development Plan

	Base Fee	\$ 1,000.00	
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In addition to any other site plan and/ or subdivision fees that may also be required

G. Resubmissions

For each submission of revised plans, including use variance, preliminary and final subdivision, preliminary and final site plan, and P.U.D. Applications

	Resubmission	x 20%	\$ -	
		<i>Original Fee</i>		

H. Special Design Elements

When Determined Applicable by the Reviewing Board

	Special Design Elements	x 20%	\$ -	
		<i>Original Fee</i>		

I. Escrow Amounts

	Total Original Escrow Fee Due	
	Original Escrow Fee Submitted by Applicant	
	Balance of Revised Escrow still due	



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Planning Board Escrow Deposit

Name of Applicant _____ Block _____ Lot _____

Applicant E-mail _____ Phone Number _____

Address of
Applicant: _____
Address Town State Zip Block Lot

Address of Affected
Premise _____
Address Town Block Lot

Check Amount _____

Check Number _____

Escrow Account # _____



Borough of Milltown
Planning Board
39 Washington Ave.
Milltown, NJ 08850
(732)828-2100 ext. 181

Planning Board Application Fee Calculation Sheet

Filed _____
Hearing _____
Disposition _____
Cal. No. _____

Applicant's Name _____
Applicant E-mail _____
Applicant Address _____
Owner's Name _____
Federal ID # _____

Block _____ Lot _____
Applicant Phone Number _____
Project Name _____
Owner Address _____
Date Calculated _____

Mark with an X
if applicable

Description

Cost

Applicant Total

A. Subdivisions

1. Sketch Plat

a. Minor Subdivision (3 Lots or Less)

Base Fee \$ 100.00
_____ X \$20 Per lot \$ -
of Lots

\$ -
\$ -

b. Major Subdivision

Base Fee \$ 250.00
_____ x \$25 per lot \$ -
of Lots

\$ -
\$ -

c. Submission of Revised Sketch Plat

--

_____ X .25 \$ -
Original Fee

\$ -

2. Preliminary Major Subdivision

a. Number of Lots

(1) 1 to 5 Lots

--

_____ X \$100 per lot \$ -
of Lots

\$ -

(2) Over 5 Lots

--

_____ X \$200 per lot \$ -
of Lots

\$ -

b. Extension of Preliminary Plat

--

_____ x .25 \$ -
Original Fee

\$ -

c. Submission of Revised Preliminary Plat

--

_____ X .25 \$ -
Original Fee

\$ -

3. Final Major Subdivision

a. Final Plat

--

_____ X \$50 per lot \$ -
of Lots

\$ -

b. Extension of Final Approval

--

_____ X .25 \$ -
Preliminary Subdivision Fee

\$ -

c. Submission of Revised Final Plat

		X .25	\$ -	\$ -
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Final Subdivision Fee

B. Site Plans

1. Minor Site Plan

a. Non Residential Uses

	Base Fee	\$ 100.00	\$ -
	$\frac{\text{X \$10/ 1,000sf}}{\# \text{ of sf}}$	\$ -	\$ -

b. Residential Uses

	Base Fee	\$ 100.00	\$ -
	$\frac{\text{X \$10 per dwelling unit}}{\# \text{ of Dwelling Unit(s)}}$	\$ -	\$ -

c. Submission of Revised Minor Site Plan

	$\frac{\text{X .25}}{\text{Fee}}$	\$ -	\$ -
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2. Major Site Plan

a. Non-Residential Preliminary Site Plan

	(1) Base Fee	\$ 300.00	\$ -
	(2) 1 to 100,000 g.f.a. $\frac{\text{X $.10/ sf g.f.a.}}{\# \text{ of sf g.f.a.}}$	\$ -	\$ -
	(3) Over 100,000 g.f.a. $\frac{\text{X $.01/ sf g.f.a.}}{\# \text{ of sf g.f.a.}}$	\$ -	\$ -

b. Residential Site Plan

	$\frac{\text{\$100/ per dwelling unit}}{\# \text{ of Dwelling Unit(s)}}$	\$ -	\$ -
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c. Final Site Plan

	$\frac{\text{x .5}}{\text{Original Preliminary Fee}}$	\$ -	\$ -
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d. Submission of Revised Preliminary or Final Site Plan

	$\frac{\text{X .25}}{\text{Original Fee}}$	\$ -	\$ -
--	--	------	------

e. Extension of Site Plan Approval

	$\frac{\text{X .25}}{\text{Original Fee}}$	\$ -	\$ -
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C. Variances and Appeals

	1. Hear and decision of Appeal (N.J.S.A. 40:55D-70A)	\$ 100.00	\$ -
	2. Interpretation of Zoning Regulations or Maps (N.J.S.A. 40:55D-70B)	\$ 75.00	\$ -



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Planning Board Application Deposit

Name of Applicant _____ Block _____ Lot _____

Applicant E-mail _____ Phone Number _____

Address of
Applicant: _____
Address Town State Zip Block Lot

Address of Affected
Premise _____
Address Town Block Lot

Check Amount _____

Check Number _____

Account # _____

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ► _____	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I	Taxpayer Identification Number (TIN)
---------------	---

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

				-			-				
--	--	--	--	---	--	--	---	--	--	--	--

or

Employer identification number

			-							
--	--	--	---	--	--	--	--	--	--	--

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign
Here**

Signature of U.S. person ►

Date ►

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions).
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor [*]
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.