

INSTRUCTIONS FOR ESTIMATING PA FIDUCIARY INCOME TAX FOR ESTATES AND TRUSTS ONLY

PART 1. WHO MUST MAKE ESTIMATED TAX PAYMENTS

Fiduciaries of estates and trusts must make PA estimated tax payments if they reasonably expect that the estate or trust will earn, receive, or realize income of \$8,000 (\$246 in tax) for 2010, and they reasonably expect the credits will be less than the smaller of:

- 90% of the tax to be shown on the estate or trust's 2010 tax return; or
- 100% of the product of multiplying the net PA taxable income shown on the 2009 PA-41 return by 3.07% (0.0307).

NOTE: Fiduciaries may also follow federal rules in determining the amount of quarterly estimated payments due.

The Department only requires that estates (or trusts that receive the residue of a probate estate) make estimated payments beginning with taxable years ending two or more years after the decedent's death.

NOTE: An estate or trust that receives its income unevenly throughout the year may be able to lower or eliminate the amount of its required estimated tax payment for one or more periods by using the annualized income installment method. See Annualized Income Method below. When income is earned unevenly throughout the year, complete and include with your Form PA-41, Fiduciary Income Tax Return, Form REV-1630F, Underpayment of Estimated Tax by Fiduciaries, to determine if you owe or do not owe Estimated Underpayment Penalty. Fiduciaries that have taxable income of \$8,000 for a tax year in which estimated payments are due will be subject to estimated underpayment penalties for all estimated payment periods in which an estimated payment is not made, or is underpaid, and no exceptions are met for that period, even if the calculated annualized income for those periods is less than an annualized income amount of \$8,000. Underpayment penalties will accrue for those periods until such estimated tax payments are received.

CAUTION: Fiduciaries cannot use the prior year PA-41 tax liability as this year's estimated tax to avoid underpayment penalty. The estimated tax rules apply to:

- Resident estates or trusts; and
- Nonresident estates or trusts that expect to have taxable income from sources within Pennsylvania.

Use these instructions and Form REV-414(F), Estates and Trusts Worksheet, to determine the estimated tax. Use Form PA-40ES Fiduciary or Form PA-40ESR (F/C), Declaration of Estimated Personal Income Tax, to declare and pay the estimated tax for the estate or trust.

Part A and Part B of Form REV-414(F) will help you figure the correct amount to pay. Use the Record of Estimated Tax Payments on

Form REV-414(F) to keep track of the payments made and amount of the remaining payments. Use Forms PA-40ES Fiduciary or PA-40ESR (F/C); Declaration of Estimated Personal Income Tax forms to ensure the Department properly credits the estimated tax installment payments.

PART 2. PAYMENT DUE DATES

Use the table below to determine the due date and the amount of each installment. You may pay the entire amount of your estimated tax for the estate or trust with the first payment or pay in installments when due.

PART 3. FORMS PA-40ES FIDUCIARY AND PA-40ESR (F/C) DECLARATION OF ESTIMATED PERSONAL INCOME TAX

Fiduciaries filing declarations for the first time should use Forms PA-40ESR (F/C). Thereafter, the PA Department of Revenue will supply preaddressed Form PA-40ES Fiduciary. Failure to receive Department-provided forms does not relieve taxpayers from filing and paying the tax.

If you do not receive the preprinted Forms PA-40ES Fiduciary or they are lost or damaged, use Form PA-40ESR (F/C). See forms ordering information in Part 7.

PART 4. HOW TO COMPLETE AND USE THE DECLARATION OF ESTIMATED PERSONAL INCOME TAX FORM

PA-40ESR (F/C)

Complete the name and identification information on the left-hand side of the coupon. In the middle column, fill in the oval to indicate the account is a fiduciary account. In the right-hand column, enter the fiscal year information if applicable, as well as the amount of payment or declaration of tax (see instructions in the following paragraph for specific information about how to complete these lines).

PA-40ES

There is a separate Form PA-40ES Fiduciary for each due date. The due date is in the upper right corner. Please use the Form PA-40ES Fiduciary with the correct due date. Complete and submit the form only when making a payment. To complete the declaration form and pay the estimated tax due:

- Enter the amount computed on line 24 of Form REV-414 (F), Estates and Trusts Worksheet, in the Declaration of Estimated Tax Block;

ANNUALIZED INCOME METHOD

If the estate or trust first meets the requirement to make estimated tax payments:		The number of required installments is:	And you pay the following percentages of the estimated tax by the date shown or the next business day if the due date falls on a Saturday, Sunday, or holiday.			
			15th day of the 4th month or Apr. 15, 2010	15th day of the 6th month or Jun. 15, 2010	15th day of the 9th month or Sep. 15, 2010	15th day of the 1st month of the next year or Jan. 15, 2011
Fiscal year filers	Calendar year filers					
Before the 1st day of the 3rd month of the tax year	Before March 1, 2010	4	25%	25%	25%	25%
After the last day of the 2nd month and before the 1st day of the 5th month of the tax year	After Feb. 28, 2010 and before May 1, 2010	3		50%	25%	25%
After the last day of the 4th month and before the 1st day of the 8th month of the tax year	After April 30, 2010 and before Aug. 1, 2010	2			75%	25%
After the last day of the 7th month and before the 1st day of the 12th month	After July 31, 2010 and before Dec. 1, 2010	1				100%

- Enter the amount you are remitting in the Amount of Your Payment area. The Amount of Your Payment is usually determined by taking the Declaration of Estimated Tax block divided by 4. Carryover credits from the previous tax year are deemed to be estimated tax payments made for the first period estimated taxes are due and should be subtracted from the payment amount for that period. Any carryover credit in excess of the amount of estimated taxes due for the first or subsequent period should be subtracted from the second or subsequent period estimated taxes due;
- Make the check or money order payable to the "PA Dept. of Revenue";
- Write the last four digits of your tax identification number and "2009 estimated tax payment" on your check or money order;
- Do not staple or attach the payment to the declaration;
- Mail the declaration and check in the envelope enclosed for your convenience. A preaddressed form and window envelope are provided for each payment;
- Fill in the record of estimated tax payments in Part C of Form REV-414(F) Estates and Trusts Worksheet.

Do not use Form PA-40ESR (F/C) or any other facsimile form when you can use your preprinted Form PA-40ES Fiduciary.

Use only the properly dated form for each installment payment.

IMPORTANT:

The Department personalizes each Form PA-40ES Fiduciary Declaration of Estimated Fiduciary Personal Income Tax form with the name and address of the estate or trust. NOTE: DO NOT USE SOCIAL SECURITY NUMBERS. The Form PA-40ES Fiduciary also have a unique line of information, including an encrypted version of the estate or trust's federal EIN, that the Department uses to post the estimated payment. DO NOT GIVE THE PREPRINTED FORMS TO ANY OTHER TAXPAYER. THIS MAY CAUSE THE PAYMENT TO BE APPLIED TO ANOTHER ESTATE OR TRUST'S ACCOUNT.

DO NOT MAKE CORRECTIONS ON FORMS PA-40ES FIDUCIARY. IF THE PREPRINTED INFORMATION IS INCORRECT, COMPLETE A NAME, ADDRESS, TAX IDENTIFICATION NUMBER CHANGE FORM, (FORM REV-459) and mail it to:

PA DEPARTMENT OF REVENUE
BUREAU OF INDIVIDUAL TAXES
PIT DELINQUENT TAX DIVISION
PO BOX 280510
HARRISBURG PA 17128-0510

DO NOT SEND PAYMENTS TO THIS ADDRESS

To control costs and provide better service, the Department will only provide new estimated forms when you make a change to the taxpayer's identification number or name. The Department will make address changes on the next year's estimated forms.

PART 5. AMENDING ESTIMATED TAX PAYMENTS

The estate or trust may have a change in income, credits, or its distribution deduction during the year that requires it to change or amend the estimated tax and payments. To change or amend estimated tax liability and subsequent payments, first refigure the estimated tax using Form REV-414(F), Estates and Trusts Worksheet. Then subtract any estimated payments already paid. Make the remaining installment payments using the instructions for payment due dates shown on the front.

PART 6. WHEN A PENALTY IS APPLIED

In some cases, an estate or trust may owe an interest penalty. PA law imposes this penalty on each underpayment for the number of days that it remains unpaid, but not beyond the due date for the tax return.

- PA law imposes the penalty when the estate or trust did not make the payments on time and/or in the required amount.

- PA law imposes the penalty even if the estate or trust has an overpayment on its PA-41 tax return.

The Department will notify you with a preassessment notice if the estate or trust is subject to Estimated Underpayment Penalty. You can calculate the correct amount of the penalty on PA Form REV-1630F if you disagree with the amount on the notice.

SAFE HARBOR RULES

The Department will not impose the penalty when:

1. The total timely estimated payments and credits are at least equal to an amount calculated using the current year's tax rate times the net taxable income on its prior year's Form PA-41 (NOTE: This exception does not apply if no return was filed in the prior year.); or
2. For each installment period, the timely estimated payments and credits are at least 90% of the actual tax due on the income earned or received for each installment period.

Exception: The Department only requires that estates (or trusts that receive the residue of a probate estate) make estimated payments beginning with taxable years ending two or more years after the decedent's death.

NOTE: An estate or trust that receives its income unevenly throughout the year may be able to lower or eliminate the amount of its required estimated tax payment for one or more periods by using the annualized income installment method.

PART 7. FORMS ORDERING:

If the estate or trust did not receive its preprinted forms or they were lost or damaged, order Form PA-40ESR(F/C) from one of the telephone numbers below or in writing to one of the addresses below. You may also copy Form PA-40ESR(F/C) from the Department's Web site, www.revenue.state.pa.us.

For answers to common questions or to obtain tax forms, schedules and instructions from the Department, you may:

- Call our toll-free FACT Line at 1-888-PATAXES (1-888-728-2937) -- Within the local Harrisburg area, call (717) 772-9739;
- Use the FACT Line to access the Fax Response system to request tax forms;
- Log onto the Department's Web site at www.revenue.state.pa.us;
- Send e-mail requests for forms to the Department at ra-forms@state.pa.us; or

Send written requests for Form PA-40ESR(F/C) to:

PA DEPARTMENT OF REVENUE
TAX FORMS SERVICE UNIT
711 GIBSON BOULEVARD
HARRISBURG PA 17104-3200

DO NOT SEND PAYMENTS TO THIS ADDRESS.

Send written requests for preprinted Form PA-40ES Fiduciary to:

PA DEPARTMENT OF REVENUE
BUREAU OF INDIVIDUAL TAXES
PIT DELINQUENT TAX DIVISION
PO BOX 280510
HARRISBURG PA 17128-0510

DO NOT SEND PAYMENTS TO THIS ADDRESS.

You may also contact a Revenue district office for forms or assistance. These offices are listed on the reverse side of the Estates and Trusts Worksheet, Form REV-414 (F).