



**NYC** BANKING CORPORATION TAX REPORT  
**3360B** OF CHANGE IN TAX BASE MADE BY  
 INTERNAL REVENUE SERVICE AND/OR  
 NEW YORK STATE DEPARTMENT  
 OF TAXATION AND FINANCE

FOR PERIODS BEGINNING ON OR AFTER 1-1-85  
 TO BE FILED WITHIN 90 DAYS (120 DAYS FOR A COMBINED GROUP) AFTER A FINAL DETERMINATION

▲ DO NOT WRITE IN THIS SPACE - FOR OFFICIAL USE ONLY ▲

For CALENDAR YEAR \_\_\_\_\_ or FISCAL YEAR beginning \_\_\_\_\_ and ending \_\_\_\_\_

<b>ARE YOU REPORTING A CHANGE IN FILING STATUS? (SEE INSTR.)</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>NEW FILING STATUS:</b> <input type="checkbox"/> SEPARATE <input type="checkbox"/> COMBINED <input type="checkbox"/> CHANGE IN COMBINED GROUP	<b>ORIGINAL RETURN WAS FILED ON:</b> <input type="checkbox"/> NYC-1 <input type="checkbox"/> NYC-1A
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Name \_\_\_\_\_  
 Address (number and street) \_\_\_\_\_  
 City and State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Business Telephone Number \_\_\_\_\_

**EMPLOYER IDENTIFICATION NUMBER**  
 \_\_\_\_\_ - \_\_\_\_\_  
**DATE OF FINAL DETERMINATION:**  
 Federal    ● - -  
 New York State    ● - -

A. **Payment** Pay amount shown on line 17 - Make check payable to: NYC Department of Finance ● **Payment Enclosed**

Calculation of Banking Corporation Tax	COLUMN 1		COLUMN 2		COLUMN 3	
	Original Amount as Last Adjusted		Net Change		Correct Amount	
1. Entire net income allocated to New York City ....1.					● 1.	
2. Tax at 9% (.09) .....2.					● 2.	
3. Alternative entire net income allocated to New York City .....3.					● 3.	
4. Tax at 3% (.03) .....4.					● 4.	
5. Taxable assets allocated to NYC .....5.					● 5.	
6. Tax at .01% (.0001) .....6.					● 6.	
7. Issued capital stock allocated to NYC (See Instr.) .....7.					● 7.	
8. Tax at .26% (.0026) .....8.					● 8.	
9. Fixed minimum tax .....9.	125	00			9.	125 00
10. Tax (line 2, 4, 6, 8 or 9, whichever is largest) .....10.					● 10.	
11. Minimum tax for subsidiaries.....11.					● 11.	
12. Total tax (add lines 10 and 11) (See Instr.)...12.					● 12.	

Additional Tax (or Refund) Due	COLUMN A		COLUMN B	
	Additional Tax Due		Refund Due	
13. If line 12 (col. 3) exceeds line 12 (col. 1), enter the difference in column A ● 13.				
14. If line 12 (col. 3) is less than line 12 (col. 1), enter the difference in column B... 14.			● 14.	
15. Interest (see instructions) .....● 15.				
16. Additional charges (see instructions) .....● 16.				
17. <b>TOTAL AMOUNT DUE</b> (add lines 13, 15, and 16) .....● 17.				
18. <b>TOTAL REFUND DUE</b> (enter amount from line 14) ..... 18.			● 18.	

**CERTIFICATION OF AN ELECTED OFFICER OF THE CORPORATION**

I hereby certify that this report, including any accompanying rider, is, to the best of my knowledge and belief, true, correct and complete.  
 I authorize the Dept. of Finance to discuss this return with the preparer listed below. (see instructions) .....YES

<b>SIGN HERE:</b> Signature of officer _____	Title _____	Date _____	Preparer's Social Security Number or PTIN ● _____ - _____ - _____
<b>PREPARER'S USE ONLY:</b> Preparer's signature _____	Preparer's printed name _____	Check if self-employed <input type="checkbox"/> <input checked="" type="checkbox"/>	Date _____
▲ Firm's name (or yours, if self-employed) _____			Firm's Employer Identification Number ● _____ - _____
▲ Address _____		▲ Zip Code _____	

Attach copies of federal and/or New York State changes and explanation of items.  
 Make remittance payable to the order of NYC DEPARTMENT OF FINANCE.  
 Payment must be made in U.S. dollars, drawn on a U.S. bank.

To receive proper credit, you must enter your correct Employer Identification Number on your form and remittance.

MAIL THIS COMPLETED FORM TO:  
 NYC DEPARTMENT OF FINANCE  
 PO BOX 5120  
 KINGSTON, NY 12402-5120

(Pursuant to Title 11, Chapter 6, of the Administrative Code of the City of New York)

*This form is to be used for periods beginning on or after January 1, 1985. For earlier periods use Form NYC-3360F available in the 2001 Booklet X or on the Department's website under 2001 forms.*

You must file Form NYC-3360B within 90 days (120 days for taxpayers filing a combined report) after any of the following occurs with respect to a taxpayer, or if the taxpayer is an S corporation or QSSS, a shareholder of the taxpayer: (i) a final IRS or New York State adjustment to taxable income or other tax base; (ii) the signing of a waiver under IRC §6213(d) or NY Tax Law §1081(f); or (iii) the IRS has allowed a tentative adjustment based on a NOL carryback or net capital loss carryback. Attach a copy of the final determination, waiver or notice of tentative carryback allowance to this form. See, Ad. Code §11-646(e) and §19 RCNY §3-05(a)(3). **File this form separately; do not attach it to any tax return.** If you disagree with the final Federal or New York State determination reported on this form, complete the form according to the following instructions and attach a statement explaining why you believe the final determination was erroneous. If you do not attach such a statement, any additional New York City tax resulting from the final Federal or New York State determination is deemed assessed upon the filing of this form.

**An amended New York City return Form NYC-1 or NYC-1A must be filed within 90 days after filing an amended federal or New York State return.**

**If you are filing this form to report a change in filing status of the taxpayer from filing on a separate basis on a Form NYC-1 to filing as a member of a combined group on Form NYC-1A, from filing on a combined basis to filing on a separate basis or a change in the composition of your combined group, check the box marked "YES" on the top of the form and check the appropriate box for the new filing status.**

For information regarding differences between Federal and City depreciation deductions see Finance Memorandum 99-4 "Depreciation for Property Placed in Service Outside New York After 1984 and Before 1994", Finance Memorandum 02-3 (Revised) "New York City Tax Consequences of Certain Retroactive Federal and New York Tax Law Changes". See also Finance Memorandum 07-3 dated September 24, 2007 "Application of IRC §280F Limits to Sport Utility Vehicles".

## **SPECIFIC INSTRUCTIONS**

### ***Calculation of Tax***

In Column 1, lines 1, 3, 5, and 7, enter amounts from the latest New York City Tax Report, latest New York City Tax Return, latest New York City Claim for Credit or Refund, or final New York City Department of Finance adjustment prior to the filing of this return. If you filed an amended return or if the amounts shown on your original return were changed pursuant to a Department of Finance adjustment, attach documentation reflecting the New York City changes and a schedule showing your calculations. In Column 2 enter net reportable changes resulting from changes made by the Internal Revenue Service or the New York State Department of Taxation and Finance and submit a schedule showing calculations. In Column 3, lines 1, 3, 5 and 7, enter the difference between, or the sum of, columns 1 and 2, as appropriate.

### **LINE 7 -**

If no capital stock is issued, see instructions to Schedule E, line 1, of Form NYC-1.

### **LINE 12 -**

All applicable credits should be taken into account when computing the tax. Attach schedule of credits claimed. Attach Forms NYC-9.7B, NYC-ECS, NYC-9.5 and NYC-9.8, if applicable.

### **LINE 14 - CLAIM FOR REFUND**

Where the federal (New York State) change would result in a refund, Form NYC-

3360B may be used as a claim for refund, provided it is accompanied by a complete copy of the federal and/or New York State Audit Report or Statement of Adjustment.

Effective for taxable years beginning on or after January 1, 1989, if this report is not filed within 90 days after the notice of the final federal (or New York State) determination, no interest shall be paid on the resulting refund.

### **LINE 15 - INTEREST**

Enter at Line 15, Column A, interest owed on the additional tax due at the applicable prescribed interest rate or rates from the due date of the Banking Corporation Tax Return (without regard to any extension of time for payment) to the date of payment. (Section 11-675 of the Administrative Code). The applicable prescribed interest rate or rates are available from the interest rate table set forth on the Department of Finance's internet website at:

[http://www.nyc.gov/html/dof/html/business/business\\_tax\\_interest.shtml](http://www.nyc.gov/html/dof/html/business/business_tax_interest.shtml)

For the rate of interest on overpayments, for a rate of interest not shown on the website and for interest calculations, contact Customer Assistance at (212) 504-4036.

### **LINE 16 - ADDITIONAL CHARGES**

- A **late filing penalty** is assessed if you fail to file this form when due, unless the failure is due to reasonable cause. For every month or partial month that this form is late, add to the tax (less any payments made on or before the due date) 5%, up to a total of 25%.
- If this form is filed more than 60 days late, the above late filing penalty cannot be less than the lesser of (1) \$100 or (2) 100% of the amount required to be shown on the form (less any payments made by the due date or credits claimed on the return).
- A **late payment penalty** is assessed if you fail to pay the tax shown on this form by the prescribed filing date, unless the failure is due to reasonable cause. For every month or partial month that your payment is late, add to the tax (less any payments made) 1/2%, up to a total of 25%.
- The total of the additional charges in *a* and *c* may not exceed 5% for any one month except as provided for in *b*.

If you claim not to be liable for these additional charges, attach a statement to your return explaining the delay in filing, payment or both.

*Submit schedule of allocation percentages (if any) utilized in making entries in column 2 of this report.*

### **SIGNATURE**

This report must be signed by an officer authorized to certify that the statements contained herein are true.

**Preparer Authorization:** If you want to allow the Department of Finance to discuss your return with the paid preparer who signed it, you must check the "yes" box in the signature area of the return. This authorization applies only to the individual whose signature appears in the "Preparer's Use Only" section of your return. It does not apply to the firm, if any, shown in that section. By checking the "Yes" box, you are authorizing the Department of Finance to call the preparer to answer any questions that may arise during the processing of your return. Also, you are authorizing the preparer to:

- Give the Department any information missing from your return,
- Call the Department for information about the processing of your return or the status of your refund or payment(s), and
- Respond to certain **notices that you have shared with the preparer** about math errors, offsets, and return preparation. The notices **will not** be sent to the preparer.

**You are not authorizing** the preparer to receive any refund check, bind you to anything (including any additional tax liability), or otherwise represent you before the Department. The authorization cannot be revoked, however, the authorization will automatically expire no later than the due date (without regard to any extensions) for filing next year's return. **Failure to check the box will be deemed a denial of authority.**