Instructions for Form FTB 3538

Automatic Extensions for LPs, LLPs, and REMICs

General Information

California does not require the filing of written extensions. If a partnership cannot file Form 565, Partnership Return of Income, by the return's due date, the partnership is granted an automatic six-month extension.

If the tax return is filed by the 15th day of the 10th month following the close of the taxable year (fiscal year) or by October 15, 2007 (calendar year), the extension will apply.

However, an extension of time to file the limited partnership (LP), limited liability partnership (LLP), or real estate mortgage investment conduit (REMIC) return is **not** an extension of time to **pay** the $800 annual tax.

Only use form FTB 3538 if:

- The LP, LLP, or REMIC cannot file Form 565 by the due date; and
- Tax is owed for 2006.

If tax is not owed, there is nothing to file at this time. **Do not** complete or mail this voucher.

If tax is owed or you are paying the $800 annual tax, complete the voucher below. Make your check or money order payable to "Franchise Tax Board." Write the FEIN and "2006 FTB 3538" on the check or money order. Mail the payment voucher along with the check or money order to the Franchise Tax Board by the 15th day of the 4th month following the close of the taxable year (fiscal year) or April 16, 2007 (calendar year), to avoid a late payment penalty.

Note: Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

How to Complete Form FTB 3538

Enter all the information requested on this payment voucher. To ensure the timely and proper application of this payment to the partnership's account, enter the federal employer identification number (FEIN) and the Secretary of State (SOS) file number (assigned upon registration with the SOS).

Private Mail Box

Include the Private Mail Box (PMB) in the address field. Write the acronym "PMB" first, then the box number.

Example: 111 Main Street PMB 123

Where to File

Detach the payment voucher from the bottom of the page. Enclose, but **do not** staple your payment to the voucher and mail to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0651

Penalties and Interest

An extension of time to file a return is not an extension of time to pay the tax. If the entity fails to pay its total tax liability by the due date of the tax return, a late payment penalty and interest will be added to the tax due. To avoid late payment penalties and interest, the tax liability must be paid by the 15th day of the 4th month, following the close of the taxable year.

Internet Access

You can download, view, and print California tax forms and publications from our Website at **www.ftb.ca.gov.**

Access other state agencies' Websites through the State Agency Index on California's Website at **www.ca.gov.**

Print and Reset Form Reset Form

DETACH HERE — IF NO PAYMENT IS DUE, DO NOT MAIL THIS FORM — DETACH HERE

DUE 15TH DAY OF 4TH MONTH FOLLOWING THE CLOSE OF THE TAXABLE YEAR (fiscal year) OR FILE AND PAY BY April 16, 2007 (calendar year).

TAXABLE YEAR | CALIFORNIA FORM

2006 Automatic Extension for LPs, LLPs, and REMICs 3538 (565)

For calendar year 2006 or fiscal year beginning month_____ day_____ year _____, and ending month_____ day_____ year_____.

Partnership/LLP/REMIC name | FEIN

DBA | Secretary of State (SOS) file number

Present address - number and street, PO Box, rural route, or PMB no. | Ste. no.

City | State | ZIP Code

Contact Telephone no. ( )

Amount of payment

If amount of payment is zero, do not mail form ▶

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