

Instructions for Form FTB 3538

Payment for Automatic Extension for LPs, LLPs, and REMICs

What's New

Round Cents To Dollars

Beginning with the 2007 tax forms, round cents to the nearest whole dollar. For example, round \$50.50 up to \$51 or round \$25.49 down to \$25.

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, 2008 (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 both of the following apply:

- The LP, LLP, or REMIC cannot file Form 565 by the due date
- Tax is owed for 2007

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 the "Franchise Tax Board." Write the SOS file number, FEIN, and "2007 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 15, 2008 (calendar year), to avoid a late payment penalty. 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 original due date, the entity will incur a late payment penalty plus interest. 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 Agencies Directory on California's Website at www.ca.gov.

✂ DETACH HERE _____ IF NO PAYMENT IS DUE, DO NOT MAIL THIS FORM _____ DETACH HERE ✂
Fiscal year: File and Pay by the 15TH DAY OF 4TH MONTH FOLLOWING THE CLOSE OF THE TAXABLE YEAR.
Calendar year: File and pay by April 15, 2008.

TAXABLE YEAR

Payment for Automatic Extension for LPs, LLPs, and REMICs

CALIFORNIA FORM

2007

3538 (565)

For calendar year 2007 or fiscal year beginning month _____ day _____ year _____, and ending month _____ day _____ year _____.

LP, LLP, or REMIC name _____ FEIN _____

DBA _____ Secretary of State (SOS) file number _____

Address (including suite, room, PO Box or PMB no.) _____

City _____ State _____ ZIP Code _____

Contact Telephone no. _____ Amount of payment _____
() _____

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