

**We want to help you
help your client.**

We provide general information and critical resources in this brochure to help you with your client's questions.

See the back of this brochure for contact information, additional publications, and assistance.

**We take an active role to resolve
bankruptcy issues. Call us if you
have questions about your client.**



Contact Us

Website:

ftb.ca.gov

Telephone or Fax:

(Personal Income Tax and Business Entity)

Telephone: 916.845.4750

Fax: 916.845.9799

Mailing Address:

FRANCHISE TAX BOARD
PERSONAL BANKRUPTCY MS A340
PO BOX 2952
SACRAMENTO CA 95812-2952

FRANCHISE TAX BOARD
BUSINESS ENTITY BANKRUPTCY MS A345
PO BOX 2952
SACRAMENTO CA 95812-2952

**General Tax Assistance for
Tax Practitioners**

Tax Practitioner Hotline: 916.845.7057

Fax: 916.845.9300

Order Forms and Publications

Website: ftb.ca.gov

Telephone: 800.338.0505

Mail:

FRANCHISE TAX BOARD
TAX FORMS REQUEST UNIT
PO BOX 307
RANCHO CORDOVA CA 95741-0307

FTB 933 (REV 03-2012)

Tax Information for Bankruptcy Practitioners



State of California
Franchise Tax Board



Pre-Bankruptcy Information

You may request information regarding your client's tax obligations before you file a bankruptcy petition. We need a power of attorney from your client authorizing the disclosure before we can release their tax information to you. Fax your request for information and a completed FTB 3520, *Power of Attorney*, to 916.845.9799. Go to ftb.ca.gov and search for **Power of Attorney Booklet**.

Franchise Tax Board Tax Notices

If your client is currently in bankruptcy, they may receive a tax due notice. This is not a demand for payment; it is for informational purposes only. Under California law, we must notify your client anytime we assess a new liability. Your client may also receive a notice at least once a year if they have a delinquent tax balance. This annual notice is required under the California Taxpayers' Bill of Rights.

Tax Refunds

If your client expects a refund on a post-petition tax year, allow six to eight weeks after filing the tax return before you ask about its status.

If your client expects a refund on a pre-petition tax year, call us at 916.845.4750 (personal income tax or business entity) to determine your client's refund status.

Litigation

If you are considering litigation over discharge disputes, claims issues, or other reasons, call us before you file with the court. It may be possible to resolve the issues without court intervention.

If service is necessary and allowed by mail, direct it to: Franchise Tax Board, Chief Counsel, General Counsel Section MS A260, PO Box 1720, Rancho Cordova, CA 95741-1720.

If personal service is necessary, it is required at our central office located at 9646 Butterfield Way, Sacramento, CA 95827. In addition, fax a copy to 916.845.9799 or mail a copy directly to Franchise Tax Board, PO Box 2952, MS A340 (personal income tax) or MS A345 (business entity), Sacramento, CA 95812-2952.

Dissolve a Corporation

Corporations are required to file the appropriate paperwork with the California Secretary of State to formally dissolve. Refer to FTB 1038, *Guide to Dissolve, Surrender, or Cancel a California Business Entity*. For further information, go to ss.ca.gov or call the Secretary of State at 916.657.5448.

Your client must file all required tax returns and pay any outstanding taxes, penalties, and interest. Go to ftb.ca.gov and search for **dissolution** or call 800.852.5711.

Bankruptcy Estates

When there is a requirement to file an Estate Fiduciary Tax Return and the estate is:

- A corporation, then file Form 100.
- An individual, then file Form 541.

Mail the original tax return with payment of the tax to the Franchise Tax Board address specified on the form.

If you need a prompt determination of the tax (§505(b) request), mail a copy of the completed tax return along with a cover letter requesting the determination to: Franchise Tax Board, Bankruptcy Section MS A340, PO Box 2952, Sacramento, CA 95812-2952.

Call us to determine any additional amounts due before you distribute the estate or if your client receives a bill on an estate account that has been paid in full.

Installment Agreements

If your client cannot pay their taxes in full, your client may qualify for an installment agreement. Your client may wish to consider this option prior to filing bankruptcy, or to pay nondischargeable debts after bankruptcy. Refer to FTB 3567, *Installment Agreement Request*. Go to ftb.ca.gov and search for **installment agreement** or call 800.689.4776.

Offer in Compromise

The Offer in Compromise program allows you to offer a lesser amount for payment of a non-disputed final tax liability. The requirements are outlined in our booklets, FTB 4905PIT, *Offer in Compromise for Individuals*, and FTB 4905BE, *Offer in Compromise Bank and Corporation Taxes*. Go to ftb.ca.gov and search for **offer in compromise** or call 916.845.4787.