New York State Department of Taxation and Finance

Y-204

1989

City of Yonkers Nonresident Partner Allocation

Name (as shown on Form IT-204)	Employer identification number

- This form when complete constitutes the return required under Yonkers Local Law
- Attach to Form IT-204

Part I — Nonresident Partner's Distributive Shares of Net Earnings from Self-Employment

Nonresident Partner's Name	A Amount reported on federal Form 1065, Schedule K-1, line 14a	B Amount to be reported on nonresident partner's return

Part II — Formula Basis Allocation of Income if Books Do Not Reflect Income Earned in the City of Yonkers *(see instructions on back)*

Items used as factors		1 Totals—in and out of city of Yonkers	2 City of Yonkers amounts	3 Percent column 2 is of column 1
Average value of real property owned *(see instructions)*	1			
Average value of real property rented from others *(see instructions)*	2			
Average value of tangible personal property owned *(see instructions)*	3			
Add lines 1, 2 and 3	4			%
Wages, salaries and other personal service compensation paid during the year	5			%
Gross sales of merchandise, or charges for services, during the year	6			%
Total of percentages *(add lines 4, 5, and 6, column 3)*	7			%
Business allocation percentage *(divide total percentages on line 7 by three or by actual number of percentages if less than three)*	8			%

Paid Preparer's Use Only				Sign Return		
	Preparer's signature	Date	Check if self-employed ☐		**Signature of general partner**	Date
	Firm's name *(or yours, if self-employed)*	Preparer's social security number				
	Address	Employer identification number				

General Instructions

Who Must File

Every partnership doing business in the city of Yonkers and having a partner who is a nonresident of Yonkers must complete Form Y-204. **Attach Form Y-204 to your New York State Partnership Return, Form IT-204.**

A partnership is doing business in Yonkers if:

1. it maintains or operates in Yonkers an office, a shop, a store, a warehouse, a factory, an agency or other place where its affairs are systematically and regularly carried on, or;
2. it performs a series of acts or transactions in Yonkers with regularity and continuity for livelihood or profit, as distinguished from isolated or incidental transactions.

Specific Instructions

Print or type the partnership name and employer identification number in the spaces provided.

Part I

You must complete Part I for each partner who is a nonresident of Yonkers.

Column A: Enter in this column the amount of net earnings from self-employment as reported on federal Schedule K-1, line 14a.

Column B: Enter in this column the amount of net earnings from self-employment to be reflected in the partner's *City of Yonkers Nonresident Earnings Tax Return,* Form Y-203. If the partnership carries on a business both in and out of Yonkers and maintains records from which the Yonkers income can be determined, enter in this column the nonresident partner's distributive share of net earnings from self-employment derived from Yonkers sources as determined from the books of account (attach computation).

A partnership carrying on business in and out of Yonkers that does not maintain books and records from which the Yonkers net earnings from self-employment can be determined must use the business allocation percentage computed at line 8, Part II.

Part II

Complete Part II if the partnership carries on business both in and out of Yonkers but does not maintain books and records from which the Yonkers net earnings from self-employment can be determined.

Even though Part II may not fairly and equitably reflect the income from Yonkers and an authorized alternate allocation method is used, Part II must still be completed. A detailed explanation of the authorized alternate method used to determine the Yonkers income must be attached, together with full details of any *changes* increasing or decreasing the amount of Yonkers income computed by the authorized alternate method.

Line 1 — Real property owned: Enter in column 1 the average value of all real property owned by the business. Enter in column 2 the average value of real property located within Yonkers.

The average value of the property is determined by (1) adding its fair market value at the beginning of the taxable year to its fair market value at the end of the taxable year and (2) dividing by two.

Line 2 — Real property rented from others: The value of real property rented to the business and to be included in line 2 generally is eight times the gross rent payable during the taxable year for which the return is filed. Gross rent includes: any amount payable for the use or possession of real property, or any part thereof, whether designated as a fixed sum of money or as a percentage of sales, profits or otherwise; any amount payable as additional rent, or in lieu of rent, such as interest, taxes, insurance, repairs or any other amount required to be paid by the terms of a lease or other agreement; and a portion of the cost of any improvement to real property made by or on behalf of the business which reverts to the owner or lessor upon termination of a lease or other arrangement. However, if a building is erected on leased land by or on behalf of the business, the value of the building is determined in the same manner as if it were owned by the business.

Line 3 — Tangible personal property owned: Enter in column 1 the average value (determined in accordance with the instructions for line 1) of all tangible personal property owned by the business. Enter in column 2 the average value of tangible personal property located within Yonkers.

Line 5 — Wages, salaries and other personal service compensation paid during the year: The amounts to be entered on line 5 include wages and other personal service compensation paid only to **employees** of the partnership. Do not include payments to nonemployees such as independent contractors and independent sales agents. Enter on line 5 in column 1 the total wages and personal service compensation paid to employees during the taxable year for partnership operations carried on both in and out of Yonkers. Enter on line 5 in column 2 the amount of that pay for operations carried on in Yonkers. Operations are considered to be carried on in Yonkers if the employee works in or travels out of an office or other place of business located in Yonkers. If in Schedule B, Part II, line 13 of Form IT-204, you subtracted an amount based on wages not allowed because of the federal targeted jobs credit, this change should be reflected here in wages and salaries paid during the year.

Line 6 — Gross sales of merchandise, or charges for services, during the year: The amount to be entered on line 6 in column 1 is total gross sales made, or charges for services performed, by the partners or by employees, agents, agencies or independent contractors of the partnership in and out of Yonkers. The amount to be entered on line 6 in column 2 is the part of total gross sales or charges that represents sales made or services performed by or through an agency in Yonkers. This includes sales made or services performed by employees, agents, agencies or independent contractors situated at, connected with or sent out from offices of the partnership (or its agencies) located in Yonkers.

Paid Preparer Must Sign the Return

Anyone you pay to prepare the return must sign it and fill in the other blanks in the paid preparer's area of the return. The preparer required to sign the return must sign it by hand; signature stamps or labels are not acceptable. If anyone prepares the return and does not charge you, the paid preparer's area should not be filled in.

Paid tax return preparers should get Publication 50, *Information for Paid Preparers of New York Income Tax Returns,* for more details.