

For office use only



New York State Department of Taxation and Finance

New York State Estate Tax Report of Federal Audit Changes

ET-115.1

(4/00)

For the estate of a decedent whose date of death is on or after February 1, 2000

Decedent's last name	First	Middle initial	Social security number
Address of decedent at time of death (number and street)			Date of death
City, village or post office	State	ZIP code	County of residence
On the date of death, decedent was a: <input type="checkbox"/> Resident of New York State <input type="checkbox"/> Nonresident of New York State			

Executor – If there has been a change of executors and you are submitting Letters Testamentary or Letters of Administration with this form, indicate in this box the type of letters. Enter **L** if regular, **LL** if limited letters. If you are not submitting letters with this form, enter **N**.

Attorney's or authorized representative's last name	First	MI	Check box if POA is attached <input type="checkbox"/>	Executor's last name	First	Middle initial
In care of (firm's name)				If more than one executor, check box and see <i>Instructions for Form ET-706</i> <input type="checkbox"/>		
Address of attorney or authorized representative				Address of executor		
City, village or post office	State	ZIP code		City, village or post office	State	ZIP code
Social security number of attorney or authorized rep.	Telephone number			Social security number of executor	Telephone number	

If the decedent possessed a cause of action or was a plaintiff in any litigation at the time of death, check this box and complete *Schedule 3* on the back (see page 3 of Form ET-706-I, Instructions for Form ET-706).

Installment payments of tax for closely held business.
If you elect to pay the tax in installments as described in IRC section 6166 (NY Tax Law section 997), check the box and attach Form ET-415 in duplicate.

Federal gross estate tax from line 10 of Form 706, as adjusted	<input type="text"/>	Federal taxable estate from line 3 of Form 706, as adjusted	<input type="text"/>
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Tax computation

1 Federal credit for state death taxes (from line 15 of federal Form 706 or line 9, Part II, of Form 706-NA, as adjusted)	1	
2 Estate tax or inheritance tax payable to another state(s), allowable as a federal credit (if none, skip lines 3, 4, 5, 6, and 12 through 19, enter zero on line 7, and enter the amount from line 1 on line 8)	2	
3 Residents: enter amount from line 14 on the back. Nonresidents: enter amount from line 19 on the back ...	3	
4 Federal gross estate from line 1 of federal Form 706 or line 1, Sch. B, page 2 of Form 706-NA, as adjusted ..	4	
5 Divide line 3 by line 4 (round up the decimal to four places). The result should not be greater than 1.0000	5	
6 Multiply the amount on line 1 by the decimal on line 5	6	
7 Limitation - enter the smaller of line 2 or line 6, if any; otherwise, enter zero	7	
8 New York State estate tax (subtract the amount on line 7, if any, from the amount on line 1)	8	
9 Prior tax payments, if any (attach a schedule of dates and amounts)	9	
10 If line 9 is less than line 8, subtract line 9 from line 8. This is the amount you owe . Make check payable to: Commissioner of Taxation and Finance	10	
11 If line 9 is greater than line 8, subtract line 8 from line 9. This is the amount to be refunded to you	11	

If an attorney or authorized representative is listed above, he or she must complete the following declaration:

I declare that I am (check one or more): an attorney; a certified public accountant; an enrolled agent; or a public accountant enrolled with the New York State Education Department; and I agree to represent the executor for the estate, and I am authorized to receive tax information regarding this estate.

Signature of authorized representative _____ Date _____

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer other than the executor is based on all information of which preparer has any knowledge. Furthermore, I/we, as executor(s) for this estate, authorize the person, if any, named as my/our representative on the front of this return to receive confidential tax information regarding this estate.

Signature of executor	Date	Signature of co-executor	Date
Signature of preparer other than executor			Date
Address of preparer		City	State ZIP code

Mail this form and your payment (if any) to: NYS Tax Department, TTTB - Estate Tax - 855, W A Harriman Campus, Albany NY 12227

Schedule 1 - Resident

List below each item of real and tangible personal property **located outside New York State**. Include the item number, the schedule of federal Form 706 on which it was reported, and the reported value of the property as adjusted.

Item number	Description	Value	

12 Total value of property listed above	12		
13 Property subject to a limited power of appointment created before September 1, 1930, includable in the New York gross estate under section 957 of the Tax Law, if any (see instructions for line 13 on page 4 of Form ET-706-1)	13		
14 Subtract line 13 from line 12; enter the result here and on line 3 on the front page	14		

Schedule 2 - Nonresident

15 Federal gross estate from line 4 on the front page	15		
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List below each item of real and tangible personal property **located in New York State**. Include the item number, the schedule of federal Form 706 or 706-NA on which it was reported, and the reported value as adjusted.

Item number	Description	Value	

16 Total value of property listed above	16		
17 Property subject to a limited power of appointment created before September 1, 1930, includable in the New York gross estate under section 957 of the Tax Law, if any (see instructions for line 17 on page 4 of Form ET-706-1)	17		
18 Add lines 16 and 17	18		
19 Subtract line 18 from line 15, enter the result here and on line 3 on the front page	19		

Schedule 3 - Description of litigation or cause of action

In the area provided, describe any litigation in which the decedent was a plaintiff, or litigation that is pending or contemplated on behalf of the decedent. Include the actual or estimated values of such litigation. The department will waive the penalty and interest that applies to the estate tax attributable to the value of a cause of action (litigation) that is includable in the taxable estate of the decedent. Penalty and interest on such amount will be waived from the date an estate tax return is filed that discloses the cause of action, to the date of payment, but not more than one year after the date of settlement or final judgment.

Installment election – If you elected to pay the New York State estate tax in installments, as provided under section 997 of the Tax Law, and the estate qualifies for the election after the federal audit, check the box on the front page and complete a new Form ET-415 and file it with Form ET-115.1. If you did not make the election at the time of filing the *New York State Estate Tax Return*, Form ET-706, you may elect to pay in installments that portion of the deficiency (but not any tax originally determined to be due) that is attributable to the closely held business interest. However, this is true only if you made a similar election for federal purposes.

You must make this election not later than 60 days after the issuance of a notice and demand for payment of the New York State estate tax deficiency.

This report must be filed within 90 days after the final federal determination.

For private delivery services, use the mailing address on the front of this form.

Reminders: Sign this return. Also, attach a copy of the federal audit changes, including line adjustments and supporting schedules. If you did not receive a copy of the line adjustments, request a copy from the Internal Revenue Service office that performed the audit.