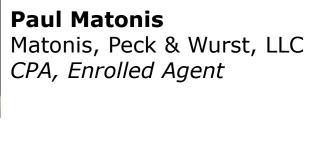
Make It Official



### **Our Presenters**







Brian Boyes
Bordeaux & Boyes, LLC
Attorney



**Teresa Butler**Dryg Butler CPAs P.C. *CPA* 



**Michael Rossetti**Law Office of Michael Rossetti *Attorney* 



**Tom Selken**Law Office of Thomas Selken *Attorney* 



**Sean Rutledge**Rutledge Law Office, LLC *Attorney* 



### **One-Minute Introductions**

- 1. Your name
- 2. What is your business name?
- 3. Operating business or new startup business?
- 4. Single business owner or business partners?



# Workshop Agenda

- 1. The Fine Print
- 2. Purpose & Goal
- 3. The Bottom Line
- 4. It Depends... On What?
- 5. The Myth
- 6. Reality
- 7. Business Entity Options
- 8. The Criteria
- 9. Bringing It Together
- 10. Business Registration & Permits
  - A. Secretary of State
  - B. Internal Revenue Service EIN (Business Identification Number)
- 11. Next Steps
- 12. Your Turn! (Tell us your action steps)
- 13. Larimer SBDC Who We Are & What We Do



## The Fine Print

### NOTICE

The information presented in this workshop is for educational purposes only.

It is not designed for nor should you rely on this presentation to provide legal guidance.

The contents of this presentation are not legal or tax advice, and you should <u>always</u> consult an attorney or accountant/CPA of your choosing to discuss specific legal or tax issues.



# Purpose & Goal

"Decide what you want, decide what you are willing to exchange for it. Establish your priorities and go to work."

- H.L. Hunt

### Purpose:

•To educate entrepreneurs on the criteria by which you should answer the question "What organizational structure makes the most sense for me and my new business?

### Goal:

- •To enable and empower entrepreneurs to have a meaningful, well balanced and focused discussion with a CPA or Attorney.
- •NOT to 'select' a business entity.



# **Bottom Line**

"The buck stops here!" - H.S. Truman

### You are ultimately accountable and responsible for your business

- The most important decision you will make will be the selection of a legal structure for your business
  - **You** need to understand the legal responsibilities and limitations of your business form.
  - **You** need to understand the tax liability and reporting requirements of your business form.
    - Unofficial IRS Audit Motto: Guilty until proven innocent.
- Begin your business ownership fully informed.
  - Risk: Ensure that your business is not taking unnecessary risks. Your goal should be the 'sleep at night' policy.
  - Quality: Get it right the first time. Cost of rework is not just \$\$\$ but your <u>time</u> away from your business.
  - ROI: Your biggest asset is your time. The time value of money.
  - Peer Networking: Ask business owners for advice. Entrepreneurial words of wisdom "Do what you do best and hire the rest!"
  - Decision Making: Information gathering and analysis.



# The Myth

- There is no perfect form
- One form is not necessarily better than another
- One size does not fit all businesses
- It is a trade-off ... cost vs.. benefit vs.. risk ... which is unique to you and your business

"If you don't know where you are, a map won't help."
- T. Peters

So what do I choose ????

It depends....



# It Depends.... On What??

"If you don't know where you are going, any road will do."
- Lao-Tzu

- General Considerations
  - Liability Protection
  - Taxation
  - Recordkeeping
- Business Management Considerations
  - Ownership
  - Managerial Flexibility
  - Exit Strategy



# Reality

State law controls the formation of your business. Federal tax law controls how your business is taxed.

- All businesses have an organization form
  - If an organization form is NOT selected a default applies
- All businesses must file a tax return with the IRS
  - The tax form you use will depend on how your business is organized
- 3 most common tax forms used:
  - Schedule C form 1040
  - Partnership form 1065
  - S-Corp. form 1120S



State law controls the formation of your business.

### In Colorado

- Sole Proprietorship
- Partnerships
- Limited Liability Companies
- Corporations



### **Sole Proprietorship**

- A business owned by one person with no legal structure.
- Presumed to operate under their owner's name.
  - File Trade Name Certificate(http://www.sos.state.co.us)
- Operate using owner's SSN
  - Apply for an FEIN: SS-4 (<a href="http://www.irs.gov/businesses/small">http://www.irs.gov/businesses/small</a>)
- Considerations:
  - No required legal forms (recordkeeping)
  - Schedule C
  - No personal liability protection (liability)
  - Owner has complete control
  - Business ceases to exist when owner ceases doing business



### **Partnerships**

- General Partnerships, LLC, LLP, LLLP, LPA
- A business with more than one owner who actively engages in the management of the company.
- Considerations:
  - Each partner has unlimited personal liability, including actions taken by other partners.
  - Most businesses that enter into a partnership actually form an LLC



### **Limited Liability Companies (LLC)**

- A legal form which provides liability protection for the business owner/s.
- Considerations:
  - Personal liability protection
  - Profits can be distributed unevenly.
  - Limited in the number of owners (investors).
  - Multiple taxation election.
    - Single member LLC taxed as a sole proprietor
    - Two or more member LLC taxed as a partnership
    - One or more member LLC that elects to be taxed as an S-Corp



### **Corporations**

- C Corporations; non pass-through entity
  - An entity that handles the responsibilities of the business.
  - The owner of the corporation is a shareholder.
  - Considerations:
    - Double taxation Form 1120
    - Payroll (withholding and remittance, W2, etc.)
    - Retained earnings
- S Corporation; pass-through entity
  - A type of corporation that provides personal liability but permits pass through taxation. IRS Form 2553.
  - Considerations:
    - Cannot distribute profits unevenly.
    - Payroll (withholding and remittance, W2, etc.)
    - Limited number of shareholders (100) & one class of stock



### **S** Corporations

- IRS Rules
  - Election make with IRS within first 75 days of any (Form 2553 must be signed by all shareholders/members)
  - Cannot have more than 100 shareholders/members
  - All shareholders/members must be individuals (some exceptions)
  - All shareholders/members must be US citizens or resident aliens
  - One class of stock
- Tax Consequences
  - Divide net profits into (1) wages and (2) owner distributions
  - Owners must pay themselves reasonable wages
  - Wages are taxed as ordinary income, including FICA (15.3%)
  - Owner distributions are not subject to FICA
  - Form 1120S by March 15



### **Common IRS Tax Forms**

- 1040 Individual/Married tax return
  - Schedule C Report business income/loss for sole proprietor or single member LLC
- 1099 Information return letting IRS know that you paid a contractor for their services
- W-2 Reports wage and salary information for employees
- W-4 Employee withholding certificate, filled out by employee so your employer knows how much tax to withhold
- W-9 in order to obtain the information needed to fill out a 1099,
   you have the company who performed services fill out a W-9
- 1065 Partnership tax return Multi-member LLC
- 1120 C corporation tax return
- 1120S S corporation tax return Single or multi-member LLC
- 2553 S corporation election
- Other sales tax forms



### Liability

**Definition:** The degree to which the business owner is personally liable for all financial obligations and debts of the business.

- Piercing the Corporate or LLC Veil. Liability protection provided by an organization form is 'almost always' guaranteed as long as the business is regarded as a separate entity from the business owner/s.
- Practices that support limited liability protection:
  - Proper use of the corporate name; hold yourself out as an LLC
  - Segregated accounts; don't co-mingle funds
  - Comply with legal entity formation requirements



### **Ownership**

- The number of individuals and the types of entities that can invest is a company.
  - Ownership vs. management
  - Ownership vs. profit split



# **Managerial Flexibility**

- Who has control over the business?
  - Buy / Sell agreements
  - Operating agreements
  - Partnership agreements



### **Record Keeping**

- The amount of <u>legal</u> paperwork your business is required to complete (besides income & expenses):
  - For an LLC
    - Annual report/minutes
  - For a Corporation
    - Board of Directors
    - By Laws
    - Corporate Books
    - Shareholder Meetings / Corporate Minutes
    - Stock Certificates
- Supports the corporate veil

### **Additional Resources**

- Basics of Bookkeeping: Know They Numbers
- TAXES: Get Informed and Organized Now!



### Additional Recordkeeping Information

- IRS Pub 583: Starting A Business & Keeping Records
- IRS Pub 535: Business Expenses
- IRS Pub 463: Travel, Entertainment, Gifts & Car
- IRS Pub 587: Business Use of Your Home
- IRS Pub 946: How to Depreciate Property
- IRS Pub 334: Tax Guide For Small Business (Sched C.)
- IRS Pub 541: Partnerships (1065)
- IRS Pub 542: Corporations (1120)
- IRS Pub 505: Tax Withholding & Estimated Tax
- IRS Pub 15: Employer's Tax Guide
- IRS Pub 551: Basis of Assets
- IRS Pub 536: Net Operating Losses (NOL)

"The stars might lie but the numbers never do."
- M.C. Carpenter



### **Exit Strategy**

- What are you planning to do with the business?
  - Do you have a job or own a business?
- What happens when you leave ('exit') the business?
  - Organizationally
  - Liquidity
  - Business assets & appreciation



# **Bringing It Together**

"It's in your moments of decision that your destiny is shaped."

- A. Robbins

- Business Form Comparison Chart
  - Options vs. Criteria
    - "What organizational structure makes the most sense for me and my new business?
- More Information:
  - http://www.irs.gov/businesses/index.html
  - http://www.sba.gov/smallbusinessplanner/index.html
  - http://www.colorado.gov/cs/Satellite/OEDIT/0EDIT/1154721645662
  - <a href="http://www.coloradosbdc.org/">http://www.coloradosbdc.org/</a>
- Seek & consult professional advice.



# Business Registration & Permits

"A journey of a thousand miles begins with a single step."

- Lao-Tzu

- State of Colorado
  - Secretary of State (organization or incorporation)
    - http://www.sos.state.co.us/biz/FileDoc.do
  - Internal Revenue Service (EIN/Business Identification Number)
    - www.irs.gov
  - Department of Revenue (CR 100)
    - http://www.revenue.state.co.us/TPS Dir/home.asp
- Larimer County
  - Sales / Use Tax
  - Permits & Inspections
- City of Fort Collins / City of Loveland
  - Sales / Use Tax
  - Permits & Inspections





#### **Colorado Secretary of State**

#### **Programs & services**

Administrative rules of state agencies
--

Bingo and raffles licensing

Businesses, trademarks, trade names

Campaign finance

Charities and fundraisers

#### Durable medical equipment suppliers

Elections & voting

Lobbyists

Notary public

Uniform Commercial Code (UCC)

(?) Can't find what you're looking for?

#### News (archived news)



February 2, 2017 - Here we go year four -- Go Code Colorado 2017

January 25, 2017 - Secretary Williams says Colorado works to prevent fraud

January 19, 2017 - Secretary Wayne Williams optimistic as he releases latest business indicators report

#### Videos







Common Sense Solutions from the Colorado Secretary of State - 2:15







Information resources

Bingo & raffles

**Business organizations** 

Charities & fundraisers

**DME** suppliers

**Elections & voting** 

Lobbyist

Notary public

Rules and regulations

Contact us

#### **Business Organizations**

#### Search & file

- · Search business database
- Name availability search
- File a business document
- · Periodic report filing
- Trade name renewal
- Forms list
- . Oaths of office (PDF)
- · Facsimile signatures (PDF)
- Personal identifying information removal (PDF)

#### Services

- · Certificate of good standing
- · Email notifications
- Certificates, copies and apostilles
- · Validate a certificate
- · Weekly Reporting Service (PDF)
- . Entity Extract Listing (PDF)

#### Help & resources

- · Starting a business in Colorado tutorial
- · Alerts and cautions
- · Protect your business from identity theft
- Online payment information
- · Access your prepaid account
- Prepaid account application (PDF)
- Prepaid account debit form (PDF)
- · Toll road and toll highway companies listing
- · Checklist for new businesses
- · Glossary of terms Helpful business links
- News archive
- Quarterly Business and Economic Indicators

Sign up to receive Business Organizations Email Updates







Business Home Business Information Business Search

Help on this Page FAQs, Glossary and Information

### Name Availability Search

Business paper documents processed through: 02/01/2017

Enter the exact name you want to use in Colorado, including any required term or abbreviation, such as "Inc.", "LLC", "Ltd", etc.

New Company Setup LLC

More search options

Business database search
Advanced search
Business survey information search
Trademark advanced search



Search





**Business Home Business Information** Business Search

Help on this Page FAQs, Glossary and Information

#### File a Form

#### LLCs, Corporations & Trade Names

- Trade name
- Limited liability company (LLC)
- Profit corporation
- Nonprofit corporation
- Reserve a name for later use

#### Foreign (outside of Colorado) Entities

- · Foreign entity
- True name of a foreign entity

#### Trademarks

Register a trademark\*

#### **Public Benefit Corporations**

- Profit corporation
- Cooperative (Article 56)\*
- Cooperative association (Article 55)\*

#### **Partnerships**

- · Limited partnership (LP)
- · Limited liability partnership (LLP)
- · Limited liability limited partnership (LLLP)
- . Limited liability limited partnership Article 61 (LLLP)
- · Limited partnership association (LPA)

#### Cooperatives

- . Cooperative (Article 56)\*
- · Cooperative association (Article 55)\*
- · Limited cooperative association (LCA)

#### Conversions

Is the converting entity on file with our office?

- Yes
- · No

#### Miscellaneous

· Unincorporated nonprofit association appoint an agent for service of process (PDF)

Your document will be available to the public

Don't see your form? Search for your record or see our business forms list.

\*Requires an attachment







**Business Home Business Information Business Search** 

FAQs, Glossary and Information

### **Entity Name**

You chose Limited liability company (LLC)

One of the following terms or abbreviations is required to be included in the entity name:

- "Limited Liability Company"
- "Limited"
- · "Ltd. Liability Company" "Limited Liability Co."
- "L.L.C." "LLC"
- · "Ltd. Liability Co."

"Ltd."

Name requirements can be found in the Colorado Revised Statutes.

There may be similar, possibly confusing, names in the database. To check similar names, search the business database.

Enter the exact name you want to use in Colorado:

New Company Setup LLC

Next

Back







Business Home Business Information Business Search

Help on this Page FAQs, Glossary and Information

#### **Articles of Organization (Limited Liability Company)**

Your document will be available to the public.	Province:
* Required field.	Country:
Entity name: New Company Setup LLC	The registered agent name and registered agent address of the entity's registered agent are
Principal office address	Name * Last Name First Name Middle Name Suffix (If an individual) ▼
Street Address	—— OR ———
Address 1: Address 2:	(If an entity) (Caution: Do not provide both an individual and an entity name.)
City: *	
State: Colorado ▼ *	Street Address
Zip/Postal Code: *	Address 1: *
Province:	Address 2:
Country: United States ▼	City:
Mailing Address (only enter a mailing address if it is different than the street addres	State: CO
Address 1:	Zip:
Address 2:	Mailing Address (only enter a mailing address if it is different than the street address)
City:	Address 1:
State: v	Address 2:
Zip/Postal Code:	City:
Province: Country: ▼	State: CO
Country.	Zip:
	(Caution: The registered agent MUST consent to being appointed as the registered agent.) (The following statement is adopted by marking the box.)
	(The following statement is adopted by marking the box.)  The person appointed as registered agent has consented to being so appointed.

(If an individual)

(If an entity)

Address 1:

or -

(Caution: Do not provide both an individual and an entity name.)



(If "Yes" is selected, include an attachment with the appropriate information.)  The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.   Yes  No
Management
Who manages the limited liability company?
<ul> <li>Managers - One or more persons hired or chosen by the members to make day to day business decisions.</li> <li>Members - One or more people with an ownership interest in the company.</li> </ul>
(The following statement is adopted by marking the box.)
There is at least one member of the limited liability company.
Attach Additional Information
Do you need to attach additional information?
Yes, I need to add attachments. (You will upload files on the next page.)
● No.
Delayed Effective Date
Do you want this filing to take effect immediately?
Yes.     No. Enter an effective date (up to 90 days from today) below.
Delayed effective date mm/dd/yyyy or mm/dd/yyyy hour.minute am/pm
Email Address  Our office can send you email notifications about due dates and other events affecting this business record. Information about email notifications.
Email address will not be sold or otherwise disclosed by our office, and your email address will not appear on your filed document.
Do you want to sign up for email notifications?*
Yes. Send my notifications to this email address:
No. I don't want to sign up for email notifications.
Notice:
Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the

requirements of part 3 of article 90 of title 7, C.R.S., and, if applicable, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

document complies with the requirements of that Part, the constituent documents, and the organic statutes,

The true name and mailing address of the individual causing this document to be delivered for filing are

	٠	

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., and, if applicable, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

The true name and	l mailing address of the individu	al causing this document to	be delivered for filing are		
Last Name	First Name	Middle Name	Suffix ▼		
Address 1:	*				
Address 2:					
City:	*				
State:	Colorado ▼ *				
Zip/Postal Code:	*				
Province:					
Country:	United States	▼			
	, include an attachment with the true r uals are causing this document to		dditional individuals.) O Yes  No		
Disclaimer:					
	its revision date, compliance with a		al, business or tax advice, and are furnis nay be amended from time to time, rema		
Submit				Back	





Business Home Business Information Business Search

FAQs, Glossary and Information

### **Review**

This perjury notice applies to each is State, whether or not such individual			
9. The true name and mailing addre	ss of the individual causing th	e document to be	delivered for filing
	Your Last Name	First	Z
	Po Box 123	(First)	(Middle)
	(Street numb	er and name or Post O	(Nee Box information)
	Your Town	СО	80521
	(City)	(State) United S	(ZIP/Postal Co
	(Province – if applicabl	le) (Count	ועי
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Terms & conditions | Browser compatibility

Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Street address

ABOVE SPACE FOR OFFICE USE ONLY

#### Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

#### New Company Setup LLC

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "Itd. liability company", "limited liability co.", "Itd. liability co.", "limited", "l.l.c.", "lic", or "ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

PO Box 123

2. The principal office address of the limited liability company's initial principal office is

	(£	Street number and name,	)	
	Your Town	CO	80521	
	(City)	(State) United S	(ZIP/Postal C	ode)
	(Province – if applicable	(Counti	אניי	
Mailing address				
(leave blank if same as street address)	(Street number a	nd name or Post Office	Box information)	
	(City)	(State)	(ZIP/Postal C	ode)
	(Province – if applicable	(Country	<i>v)</i>	
The registered agent name and register agent are	red agent address of the li	mited liability con	npany's initial reg	gistered
Name		Et. (N	-	
(if an individual)	Your Last Name	First Name	Z (Middle)	(Suffix)
or	1	1	,	(,0,,
(if an entity) (Caution: Do not provide both an indivi	dual and an entity name.)			
Street address	PO Box 123			
	a	Street number and name,	)	
	Your Town	CO	80521	
	(City)	(State)	(ZIP Code,	)
Mailing address (leave blank if same as street address)	(Street number o	and name or Post Office	Box information)	<del>7</del>

	((1))		
	(Cliy)	(State)	(ZIP Code)
(The following statement is adopted by man.  ✓ The person appointed as regis		being so appointe	d.
. The true name and mailing addres	s of the person forming the li	mited liability con	npany are
Name			
(if an individual)	Your Last Name	First Name	z
	(Last)	(First)	(Middle) (Suffi
or			
(if an entity) (Caution: Do not provide both an in	ndividual and an entity name.)		
Mailing address	PO Box 123		
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	Your Town	<u>CO</u>	80521
· ·	(City)	(State) United S	(ZIP/Postal Code)
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one or more managers.			
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		ıy.	
<ul> <li>✓ the members.</li> <li>(The following statement is adopted by markit.</li> <li>✓ There is at least one member of</li> </ul>	f the limited liability compar	•	
<ul> <li>         ✓ the members.     </li> <li>         (The following statement is adopted by marking.     </li> <li>         There is at least one member of the following statement applies, adopt the statement applies.     </li> </ul>	f the limited liability compar statement by marking the box and inco	ude an attachment.)	
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<ul> <li>✓ the members.</li> <li>(The following statement is adopted by marking.</li> <li>✓ There is at least one member of the following statement applies, adopt the following statement applies, adopt the following statement contains additional following statement contains additional following statement applies.</li> </ul>	f the limited liability compar statement by marking the box and inco onal information as provided loes not have a delayed effective a	ude an attachment.) by law. late. Stating a delaye	d effective date has
<ul> <li>✓ the members.</li> <li>(The following statement is adopted by marking.</li> <li>✓ There is at least one member of the following statement applies, adopt the.</li> <li>✓ This document contains additional contains.</li> </ul>	f the limited liability compar- statement by marking the box and inco- onal information as provided loes not have a delayed effective a structions before entering a date, statement by entering a date and, if a	ude an attachment.) by law. late. Stating a delaye	
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9. The true name and mailing address of the individual causing the document to be delivered for filing are

	Your Last Name	First	Z						
	PO Box 123	(First)	(Middle)	(Sqffix)					
	(Street munber and name or Post Office flox information)								
	Your Town	CO	80521						
	(City)	(State) United S	(ZIP/Postal Co States ,	ode)					
	(Province – if applicabl	e) (Countr	N)						

(If the following scatement applies, adopt the statement by marking the box and include an attachment.)

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

### Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).



Business Home Business Information Business Search

### **Online Payment**

FAQs, Glossary and Information

ID n	un	nbe
------	----	-----

Name: New Company Setup LLC

### Amount

Total

CFD-Art of Org-Domestic 50.00

Enter one form of payment below. Help with payment

### Credit or debit card





Card number No dashes or spaces.

month / year \*

50.00

The date that your card expires. You can find this on your card,

### Security code

3 on back of card, Amex 4 on front

### Name on care

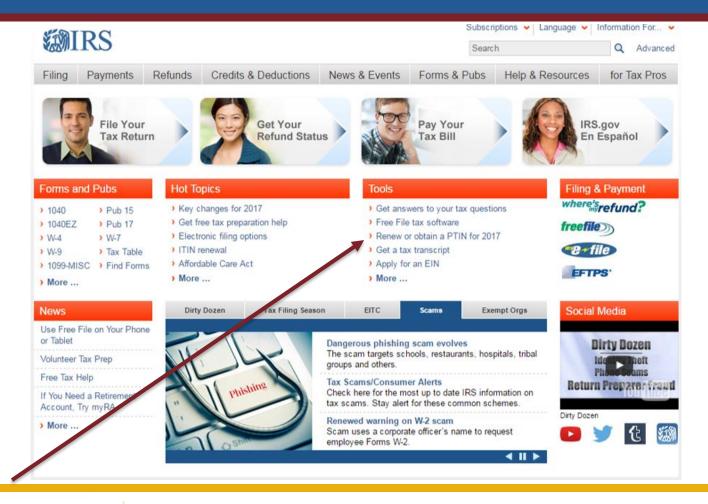
Enter the name on the card exactly as it appears,

### Billing address

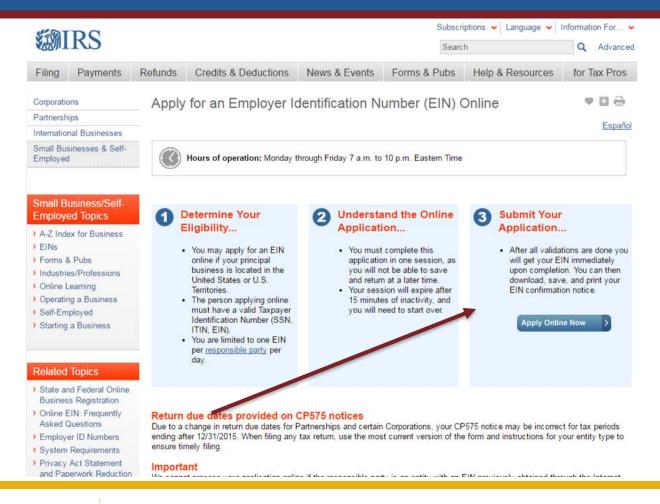
The address on the credit or debit account.

Address 1
Address 2
City \*
State \*
Zip \*

Prepaid account











Help | Apply for New EIN | Exit

### **EIN Assistant**

### Important Information Before You Begin

Use this assistant to apply for and obtain an Employer Identification Number (EIN). Do I need an EIN?

Do I need a new EIN?

About the FIN Assistant

### For help or additional information on any topic, click the underlined key words, or view Help Topics on the right side of the screen. Make sure that pop-ups are allowed from this site.

- . You must complete this application in one session, as you will not be able to save and return at a later time. For security purposes, your session will expire after 15 minutes of inactivity, and you will need to start over.
- . You will receive your EIN immediately upon verification. When will I be able to use my EIN?
- If you wish to receive your confirmation letter online, we strongly recommended that you install Adobe Reader before beginning the application if it is not already installed.

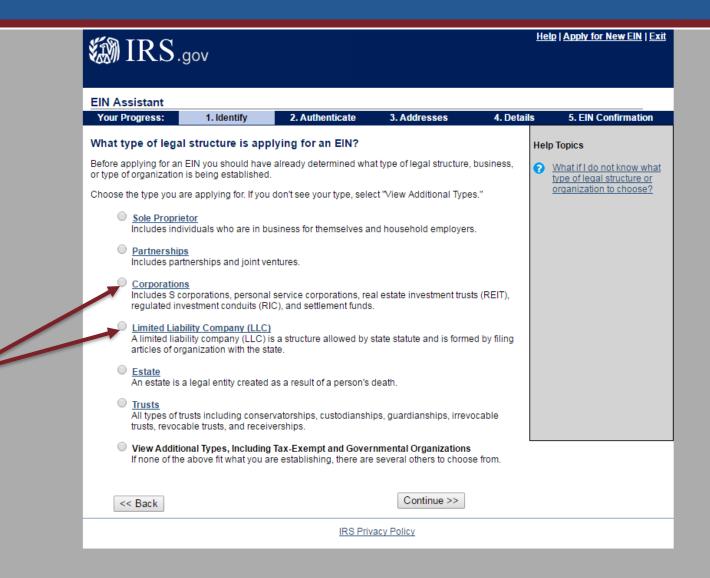
### Restrictions

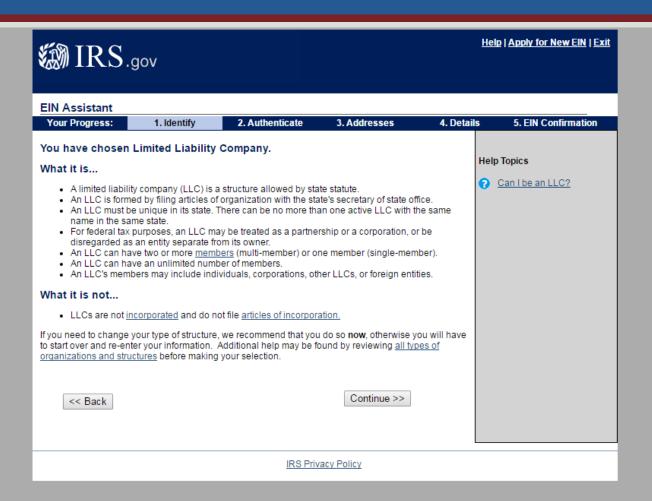
- Effective May 21, 2012, to ensure fair and equitable treatment for all taxpayers, the Internal Revenue Service will limit Employer Identification Number (EIN) issuance to one per responsible party per day. This limitation is applicable to all requests for EINs whether online or by phone, fax or mail. We applicate for any inconvenience this may cause.
- . If a third party designee (TPD) is completing the online application on behalf of the taxpayer, the taxpayer must authorize the third party to apply for and receive the EIN on his or her behalf.
- . The business location must be within the United States or U.S. territories.
- Foreign filers without an Individual Taxpayer Identification Number (ITIN) cannot use this assistant to obtain an EIN.
- . If you were incorporated outside of the United States or the U.S. territories, you cannot apply for an EIN online. Please call us at 267-941-1099 (this is not a toll free number).

Begin Application >>

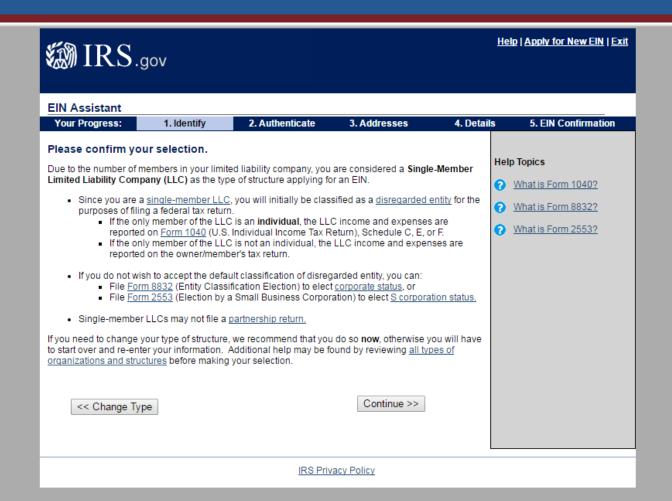
If you are not comfortable sending information the Internet, download the Form SS-4 PDF file and the instructions for alternative ways of applying.

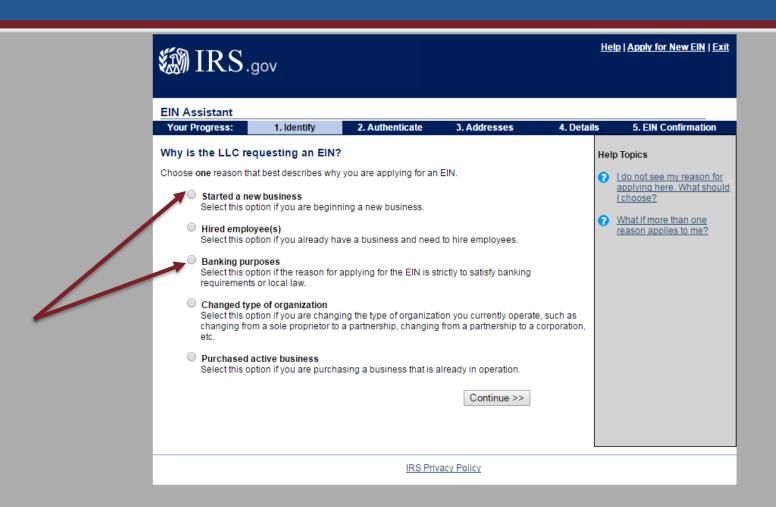
IRS Privacy Policy





Tell us more about the members of the Limited Liability Company (LLC).  *Required fields  How many member(s) are in the LLC? * 1  Please select the state/territory where the business is physically located: *  COLORADO (CO)  Continue >>  Continue >>	鋤IRS.	gov			<u>Hel</u>	p   <u>Apply for New EIN</u>   <u>Exit</u>		
Tell us more about the members of the Limited Liability Company (LLC).  * Required fields  How many member(s) are in the LLC? * 1  Please select the state/territory where the business is physically located: *  COLORADO (CO)  Continue >>								
*Required fields  How many member(s) are in the LLC? *1  Please select the state/territory where the business is physically located: *  COLORADO (CO)   COLORADO (CO)  COLORADO (CO)  COLORADO (CO)  **  **  **  **  **  **  **  **  **	Your Progress:	1. Identify	2. Authenticate	3. Addresses	4. Details	5. EIN Confirmation		
How many member(s) are in the LLC? * 1  Please select the state/territory where the business is physically located: *  COLORADO (CO)  ▼  Continue >>	Tell us more abou	it the members of	the Limited Liabilit	y Company (LLC).				
Please select the state/territory where the business is physically located: *  COLORADO (CO)  CONTINUE >>	* Required fields							
COLORADO (CO)  Continue >>	How many member(s)	are in the LLC? * 1						
<< Back  Continue >>	Please select the state	e/territory where the bu	siness is physically loca	nted: *				
	COLORADO (CO)		▼					
IRS Privacy Policy	<< Back			Continue >>				
	IRS Privacy Policy							

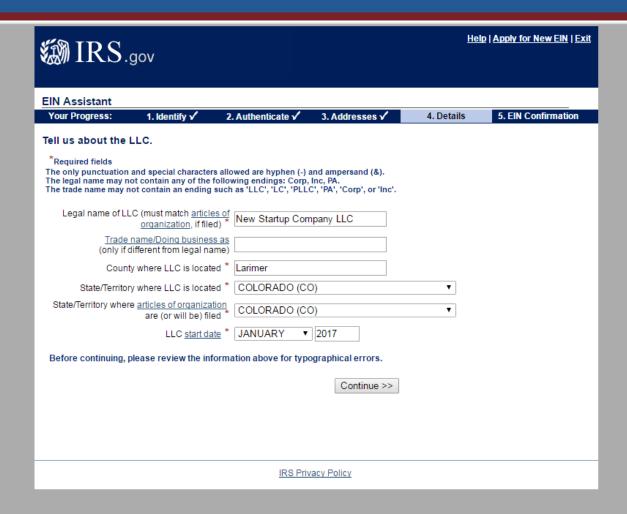






IRS.gov					
EIN Assistant					
Your Progress: 1	1. Identify 🗸	2. Authenticate	3. Addresses	4. Details	5. EIN Confirmation
* Required fields Must match IRS records or The only punctuation and s	this application ca	annot be processed.		ELLC.	
	First name *				
Mide	dle name/initial				
	Last name *				
Su	uffix (Jr, Sr, etc.)	Select One ▼			
	SSN/ITIN *				
Choose One: *  I am one of the owners  I am a third party apply		e managing member of behalf of this LLC.	this LLC.		
Before continuing, pleas	e review the info	rmation above for type	Continue >>		
<< Back			Continue		
		IRS Priv	acy Policy		

₩ IRS.	gov			<u>He</u> l	lp   Apply for New EIN   Exit
EIN Assistant					
Your Progress:	1. Identify √	2. Authenticate 🗸	3. Addresses	4. Details	5. EIN Confirmation
Where is the LLC	physically locate	ed?			
* Required fields					
The only special chara Note: Must be a U.S. a		et and city are - and /. a P.O. box. <u>For military add</u>	resses click here.		
	Street *				
	City *				
State/ <u>U.S</u>	S. territory * Select	One	•		
	ZIP code *				
Phone	e number *				
Do you have an addre from the above whe your mail to	ess different ere you want O Yes o be sent? *	. ● No			
Before continuing, p	please review the int	ormation above for typog	graphical errors.		
			Continue >>		
		IRS Priva	cy Policy		







### **EIN Assistant**

**Your Progress:** 

1. Identify √

2. Authenticate √

3. Addresses √

4. Details

5. EIN Confirmation

### What does your business or organization do?

Choose one category that best describes your business. Click the underlined links for additional examples for each category.

Accommodations

Casino hotel, hotel, or motel.

Construction

Building houses/residential structures, building industrial/commercial structures, specialty trade contractors, remodelers, heavy construction contractors, land subdivision contractors, or site preparation contractors.

Finance

Banks, sales financing, credit card issuing, mortgage company/broker, securities broker, investment advice, or trust administration.

Food Service

Retail fast food, restaurant, bar, coffee shop, catering, or mobile food service.

Health Care

Doctor, mental health specialist, hospital, or outpatient care center.

Insurance

Insurance company or broker.

Manufacturing

Mechanical, physical, or chemical transformation of materials/substances/components into new products, including the assembly of components.

Real Estate

Renting or leasing real estate, managing real estate, real estate agent/broker, selling, buying, or renting real estate for others.

Rental & Leasing

Rent/lease automobiles, consumer goods, commercial goods, or industrial goods.

Retail

Retail store, internet sales (exclusively), direct sales (catalogue, mail-order, door to door), auction house, or selling goods on auction sites.

Social Assistance

Youth services, residential care facility, services for the disabled, or community food/housing/ relief services.

Transportation

Air transportation, rail transportation, water transportation, trucking, passenger transportation, support activity for transportation, or delivery/courier service.

Warehousing

Operating warehousing or storage facilities for general merchandise, refrigerated goods, or other warehouse products; establishments that provide facilities to store goods but do not sell the goods they handle

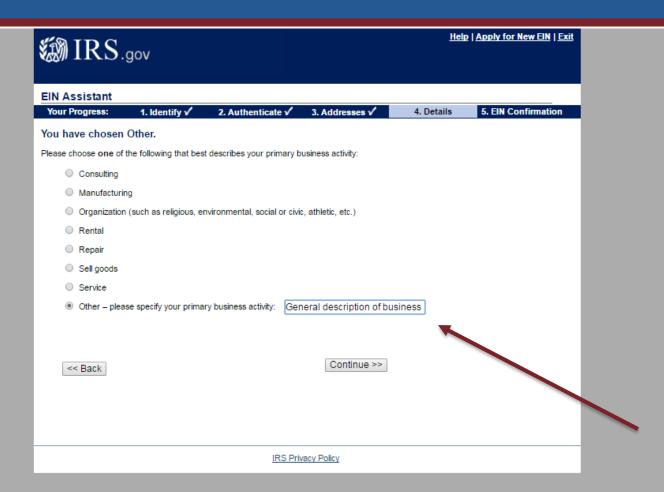
○ Who

Wholesale agent/broker, importer, exporter, manufacturers' representative, merchant, distributor, or jobber.

Other



Continue >>







### **EIN Assistant**

Your Progress:

1. Identity √

2. Authenticate √

3. Addresses √

4. Details √

5. EIN Confirmation

### Summary of your information

Please review the information you are about to submit. If any of the information below is incorrect, you will need to start a new application.

Click the "Submit" button at the bottom of the page to receive your EIN.

Organization Type: LLC

LLC Information

NEW STARTUP COMPANY LLC Legal name:

LARIMER County:

State/Territory: CO

**JANUARY 2017** Start date:

State/Territory where articles of organization

are (or will be) filed:

Addresses

Physical Location: 123 MAIN STREET

FORT COLLINS CO 80524

Phone Number: 970-123-4567

Responsible Party

OWNER NAME SOLE MBR Name:

SSN/ITIN: XXX-XX-1234

**Principal Business Activity** 

What your business/organization does: OTHER

Principal products/services: GENERAL DESCRIPTION OF BUSINESS

Additional LLC Information

Owns a 55,000 pounds or greater

highway motor vehicle:

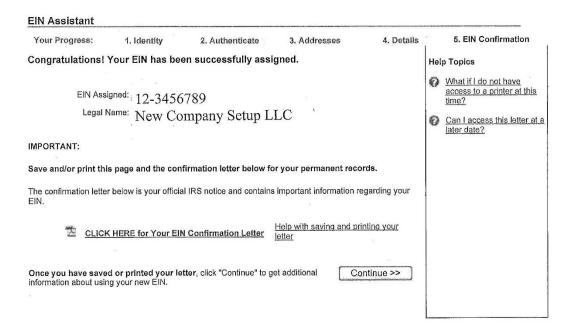
Involves gambling/wagering: NO Involves alcohol, tobacco or firearms: NO

Files Form 720 (Quarterly Federal Excise Tax Return):

NO Has employees who receive Forms W-2:

NO





### **Extremely Important:**

As soon as you see your EIN and Business Name write it down before clicking continue. You cannot go back and if your printer does not work or the computer freezes up it is a lot easier to get this paper work from the IRS if we have the EIN. If they need to look it up by your business name it will take a lot longer.

New Company Setup LLC Your Name Sole MBR 123 Main St Your Town, CO 80521 Date of this notice: 11-03-2010

Employer Identification Number:

12-3456789

Form: SS-4

Number of this notice: CP 575 G

For assistance you may call us at: 1-800-829-4933

IF YOU WRITE, ATTACH THE STUB AT THE END OF THIS NOTICE.

### WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 27-3845457. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, Entity Classification Election, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, Election by a Small Business Corporation. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

### IMPORTANT REMINDERS:

- \* Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.
- $\star$  Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub. Thank you for your cooperation.

Keep this part for your records.

CP 575 G (Rev. 7-2007)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 G

9999999999

Your Telephone Number Best Time to Call

DATE OF THIS NOTICE: 11-03-2010

EMPLOYER IDENTIFICATION NUMBER:

12-3456789

FORM: SS-4

NOBCD

 New Company Setup LLC Your Name Sole MBR 123 Main St Your Town, CO 80521

### Form (Rev. December 2014) Department of the Treasury

Form 1099-S (proceeds from real estate transactions)
 Form 1099-K (merchant card and third party network transactions)

### Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Internal	Revenue Service											
	1 Name (as shown on your income tax return). Name is required on this line; do	not leave this line blank.										
	Your Name as it appears on your tax return											
oi	2 Business name/disregarded entity name, if different from above											
ge	New Company Setup LLC											
3 Check appropriate box for federal tax classification; check only one of the following seven boxes:					Trust/estate  4 Exemptions (code certain entities, not instructions on page Exempt payee code				ividua :	only ils; si	to ee -	
					Examplion from I					FATCA reporting		
벌	Other (see Instructions) >			(Applies to accounts maintained outside the U.S.								
- iji	5 Address (number, street, and apt. or suite no.)		Requester's	ster's name and address (optional)								
bed	123 Main St											
S	6 City, state, and ZIP code											
See	Your Town CO 80521											
	7 List account number(s) here (optional)				- 100	- Yes						
Par	Taxpayer Identification Number (TIN)								- 7		_	
	your TIN in the appropriate box. The TIN provided must match the nam	e given on line 1 to av	oid So	cial sec	curity n	umbe	er			-		
backu	up withholding. For individuals, this is generally your social security num	iber (SSN). However, fo	ora			T	$\neg$					
	ent allen, sole proprietor, or disregarded entity, see the Part I instruction				-		- 1	-				
	es, it is your employer identification number (EIN). If you do not have a n n page 3.	iumber, see How to ge	raor			- 1						
		and the chart on page	T.	Employer identification number								
	. If the account is in more than one name, see the instructions for line 1 lines on whose number to enter.	and the chart on page	7101			Ť		90 000		Γ	i	
guido	minos on minos names to small		1	2	- 3	4	5	6 7	8	9		
Par	t II Certification						_		1			
	<u> </u>			-			_		-			
	r penalties of perjury, I certify that:	to an family and accordance for		n ha la	auad t	0 ma	a). c	nd				
	e number shown on this form is my correct taxpayer identification numi											
Se	rm not subject to backup withholdIng because: (a) I am exempt from bac ervice (IRS) that I am subject to backup withholding as a result of a fallur I longer subject to backup withholding; and	ckup withholding, or (b re to report all interest	o) I have not or dividend	been i s, or (c	notified ) the IF	S ha	the as r	Interna	me t	renu hat	e l am	
3. la	ım a U.S. citizen or other U.S. person (defined below); and											
	e FATCA code(s) entered on this form (if any) indicating that I am exemp	ot from FATCA reportin	ng is correct	t.								
Certi	fication instructions. You must cross out item 2 above if you have bee	n notified by the IRS th	hat vou are	current	tly sub	iect t	to b	ackup	with'	hold	ing	
intere gener instru	use you have falled to report all interest and dividends on your tax return st paid, acquisition or abandonment of secured property, cancellation or rally, payments other than interest and dividends, you are not required to actions on page 3.	n. For real estate trans of debt, contributions t	actions, ite o an individ	m 2 do lual reti	es not remen	appl t arra	ly. F ang	or mor	tgag (IRA)	e , and	d	
Sign Here		Da	ate ►									
Ger	neral Instructions	Form 1098 (home mo (tultion)	ortgage intere	st), 109	8-E (stu	dent	loar	n interes	t), 10	98-T		
	on references are to the Internal Revenue Code unless otherwise noted.	• Form 1099-C (cancel	led debt)									
Future as leg	e developments. Information about developments affecting Form W-9 (such islation enacted after we release It) is at www.frs.gov/fw9,	<ul> <li>Form 1099-A (acquisition Use Form W-9 only in</li> </ul>							alten).	to		
4000	pose of Form	provide your correct TI	N.	25.							lect	
return with the IRS must obtain your correct taxpayer Identification number (TIN)		to backup withholding.  By signing the filled-	urn Form W-9 to the requester with a TIN, you might be subject ding. See What is backup withholding? on page 2.									
which may be you soolal security lumber (251%), inclived a Rapper identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable or an information return. Examples of information to be issued),					rroct (c	r vou	are	waiting	for a	num	ber	
				J Ju								
returns Include, but are not limited to, the following:  2. Certify that you are												
	n 1099-INT (interest earned or paid)	3. Claim exemption f										
• Form 1099-DIV (dividends, including those from stocks or mutual funds)  applicable, you are als any partnership income			e from a U.S.	trade o	r busin	358 S	not	subject	to th	g G		
	m 1099-MISC (various types of Income, prizes, awards, or gross proceeds)	withholding tax on fore	ign partners	share o	f effect	ively	con	nected i	ncom	e, ar		
broke		<ol> <li>Certify that FATCA exempt from the FATC page 2 for further information</li> </ol>	A reporting,	ered on is correc	this for t, See	m (if a What	any) is F	Indicati ATCA re	ng thi	at yo ng? e	u are on	
• Forr	m 1099-S (proceeds from real estate transactions)	Page & for intring tillou	resident.									

# **Next Steps**

### Measure twice. Cut Once.

- Business Name
  - Google search on name
  - Unique in State of Colorado <a href="http://www.sos.state.co.us/biz/BusinessEntityCriteriaExt.do">http://www.sos.state.co.us/biz/BusinessEntityCriteriaExt.do</a>
  - Tradename
  - Trademark <a href="http://www.uspto.gov/main/trademarks.htm">http://www.uspto.gov/main/trademarks.htm</a>
  - Domain name registration www.<yourbusinessnamehere>.com
- Business Economic / Financial Feasibility
  - SBDC Consulting
  - SBDC Workshops and Tools
- Copyright Consideration
- Consult with Accountant / CPA
- Consult with Attorney
  - Review of business entity selection
  - Contracts (remedy & payment)
- Register Your Business



# Wrap Up

1. Q & A

2. Additional Resources

3. Evaluations



### Who We Are & What We Do



Helping local
businesses
start, grow
and prosper
through
street-smart
business
education and
assistance.



# THANK YQU

Please tell your business friends to find us at...

www.larimersbdc.org









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U.S. Small Business Administration