

Rhode Island Department of Revenue Division of Taxation

RICTC Quarterly Meeting

September 22, 2023

Agenda

- Leo Lebeuf-Taxpayer Experience Liaison
 - Taxpayer Refund Offset Program
 - Liquor License Renewal Process
- Amanda Cirillo-Principal Tax Auditor
 - Portal Registration and Benefits
 - Show Promoters and Venue Hosting Information
- Loriann Baccari-Principal Tax Auditor
 - Real Estate Conveyance Overview
 - Real Estate Conveyance FAQs
- Q&A



Leo Lebeuf Taxpayer Experience Liaison

About Us

The Division of Taxation: One of six agencies in the Department of Revenue

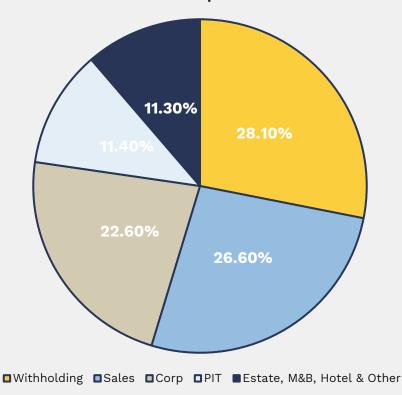
- The Rhode Island Division of Taxation employs **223 tax professionals**, administering more than **59 different taxes and fees**.
- Taxes represent **the most significant source of General Fund revenue** for Rhode Island funds used to help pay for vital services including public safety, education, transportation, and recreation for all Rhode Islanders.
- Each year, the Division collects and distributes more than \$5.2 billion in funds to the State, municipalities, and other agencies (as of FY 23).

Our Mission

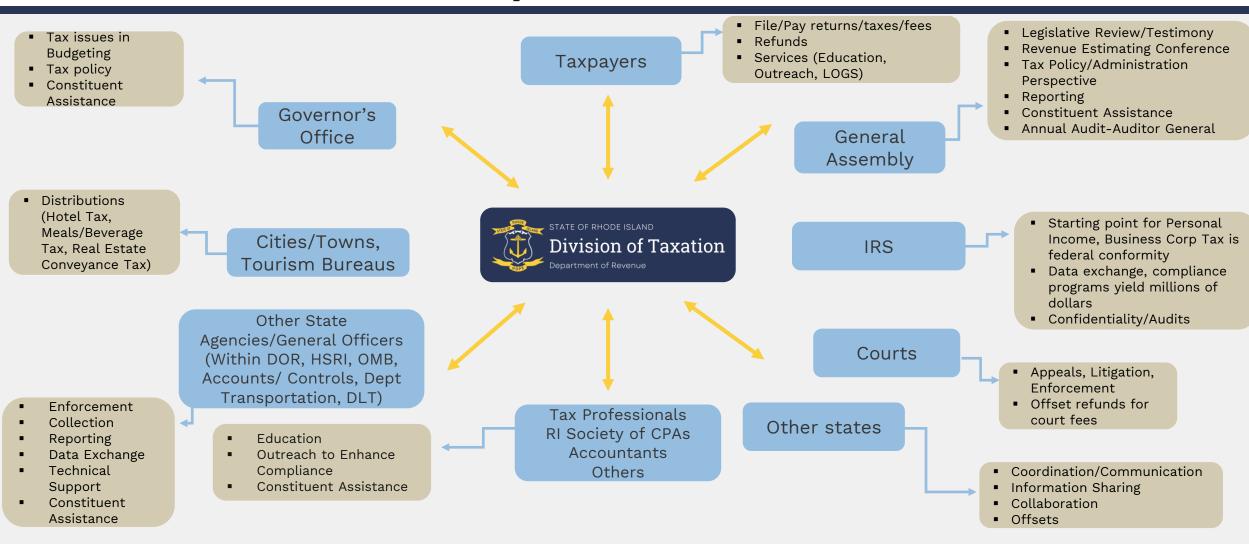
- To foster voluntary compliance with the Rhode Island tax laws and instill public confidence through professional, impartial and ethical conduct.
- To administer and collect all taxes as required by Rhode Island law in the most efficient and cost-effective manner.
- To assist taxpayers by helping them understand and meet their tax responsibilities.

Total State Tax Revenue Collected by the Division of Taxation for Fiscal Year 2023 (\$, In Millions)

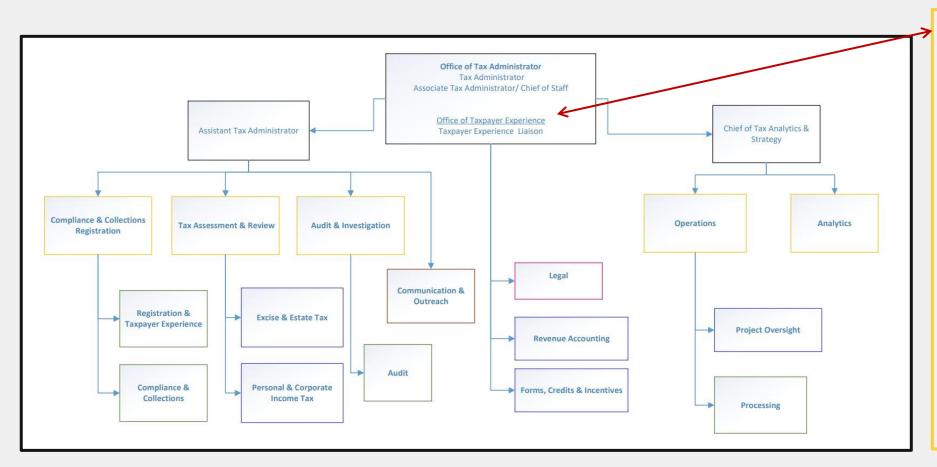
FY23 Receipts: \$5.2B



About Us: Key Stakeholders/Interactions



Taxpayer Experience Office/Team

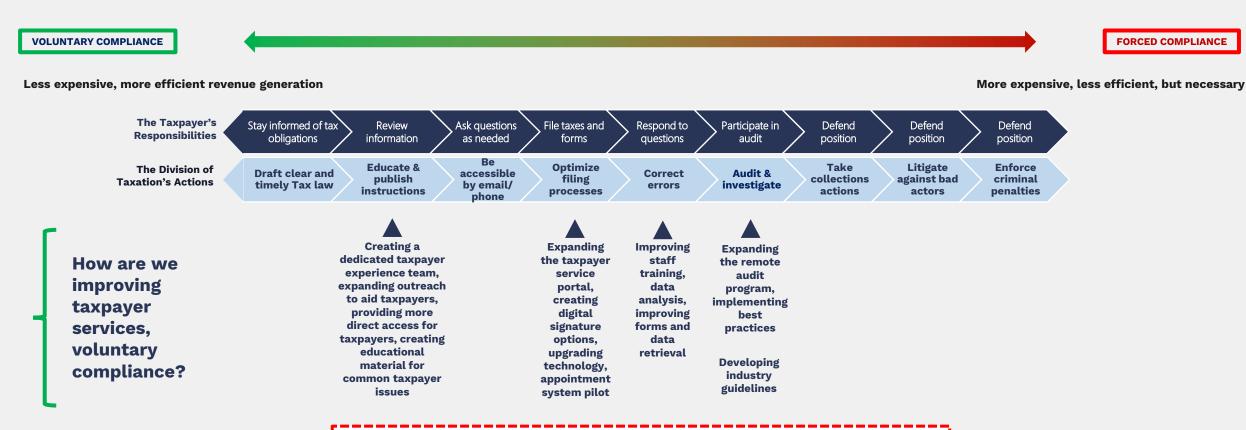


Taxpayer Experience Office Team

- Tax Administrator
- Asst Tax Administrator
- External Facing: Taxpayer Experience Liaison
- Internal Taxpayer
 Experience Team
 (With Initial Focus on Collections/Compliance)
- Continue Improvements
 Across Agency at all
 Taxpayer Contact Points

Division of Taxation: Mission

The Tax Administration Efficiency Continuum



Taxpayer Experience Office/Team

Taxpayer Experience – Year 1 Results

The Rhode Island Division of Taxation - Taxpayer Experience Office

Working to:

- Educate the taxpayer community
- Address taxpayers' needs
- Enhance voluntary compliance with the state's tax obligations

By:

- Engaging with community partners & community members
- Creating innovative resources
- Compliant Taxpayer Profiles

- Incorporating Community Feedback
- Pilot program for virtual appointments
- Taxpayer Portal usability updates
- Taxpayer Education Sessions
- Tax Professional Information Sessions
- Taxpayer Portal Training
- Industry Guides

Through:

- 9 Taxpayer Education Sessions
- 9 Tax Preparer Information Sessions
- 6 Taxpayer Portal Trainings

- 8 New Community Partnerships
- 8 Innovative Taxpayer Education Campaigns
- 27 Resolutions of complex taxpayer issues

Income Tax Refund Offset Program

- R.I. Gen. Laws § 42-142-7 allows Division of Taxation to contract with Cities/Towns to offset Personal Income Tax Refunds for tax debts
- Offset Packet provides details
 - Copy of statute
 - Overview
 - Contact information
 - File layouts/Requirements
 - Statistics
- Form Memorandum of Understanding

Income Tax Refund Offset Program

- Benefits
 - No Cost for inclusion
 - Reduce outstanding debts/increase collections
 - Low maintenance/automated after testing
 - Immediate revenue with 30-day notice

4 PARTICIPATING CITIES AND TOWN STATISTICS

Government Entity	CY 2018	CY 2	CY 2019		CY 2020		CY 2021		CY 2022	
Town of Bristol	\$ -	\$	-	\$	14,390.52	\$	12,148.64	\$	8,926.27	
Town of Burrillville	\$ 42,042.94	\$	27,407.57	\$	21,079.17	\$	17,025.78	\$	7,165.14	
City of Central Falls	\$ 43,958.14	\$	14,887.22	\$	11,084.38	\$	7,245.31	\$	6,849.11	
Town of Coventry	\$ 87,394.18	\$	4,207.95	\$	41,352.50	\$	4,388.00	\$	1,047.65	
City of Cranston	\$ 287,738.89	\$	180,132.93	\$	93,124.20	\$	41,561.82	\$	128,142.45	
City of East Providence	\$ 771,521.39	\$	62,561.78	\$	49,921.18	\$	35,568.87	\$	2,642.68	
Harrisville Fire District	\$ -	\$	-	\$		\$	-	\$	-	
Town of Johnston	\$ 240,287.64	\$	199,281.16	\$	106,082.19	\$	144,058.01	\$	17,307.08	
Town of North Providence	\$ 49,352.65	\$	67,346.03	\$	85,862.20	\$	71,526.70	\$	32,220.42	
City of Pawtucket	\$ 362,717.43	\$	416,852.78	\$	301,481.72	\$	148,369.42	\$	225,112.72	
City of Providence	\$ 86,135.91	\$	134,841.80	\$	249,396.19	\$	198,528.05	\$	83,989.75	
Town of Richmond	\$ 762.06	\$	725.95	\$	568.00	\$	1,636.31	\$	410.12	
Town of Tiverton	\$ 970.44	\$	235.13	\$	-	5	-	5	-	
Town of West Warwick	\$ 148,067.87	\$	102,238.48	\$	120,612.95	\$	98,648.41	\$	28,889.99	
City of Woonsocket	\$ 21,633.18	\$	29,142.58	\$	25,281.43	\$	20,743.94	\$	25,644.45	
TOTAL	\$ 2,142,582.72	\$	1,239,861.36	\$	1,120,236.63	\$	801,449.26	\$	568,347.83	

Income Tax Refund Offset Program

Process

- Request Participation (email is fine)
- 30 Day Written Notice to Debtor
- Sign MOU
- Exchange of test file with technical team
- Once approved, process can be repeated as often as necessary but required at least once per year

Notes

- Some vendors already have capabilities
- Largest benefits in first two quarters of year
- Better the data = better the results

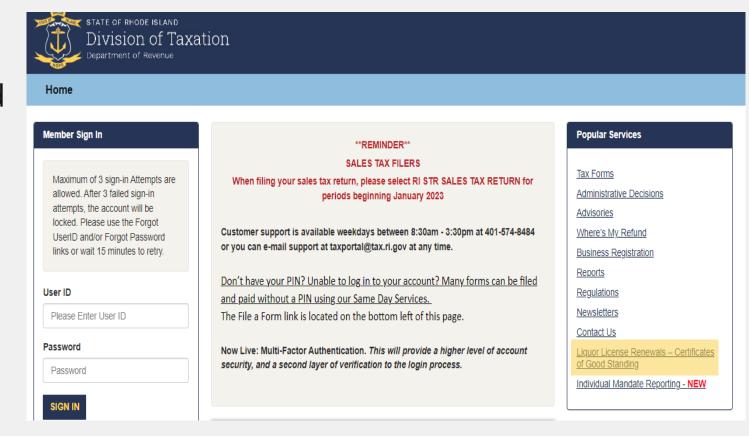
Excise and Estate Tax

- Litter Tax Repealed
 - Effective 01/01/2024
 - 2023 Summary of Legislative Changes
 - No renewals to be mailed
 - New business registrations still subject to \$25 until effective date



Liquor License Renewals

- Applications mailed mid-August annually
- Taxpayer accounts cleared as applications reviewed
- If not compliant, contact is initiated to taxpayers
- Liquor License Renewal
 Certificate of Good
 Standing Check
 - Begin mid-September
- Updates real-time



Liquor License Renewals

Applications mailed mid-August annually

Taxpayer accounts cleared as applications reviewed

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Liquor License
Renewal Certificate of
Good Standing Check

- Begin mid-September
- Updates real-time



Best Practices



Annual W2 Submission Process

- Secure FTP Email tax.prodcontrol@tax.ri.gov
- Due by 01/31/23



Real Estate Conveyance Tax

 Returns are important to overall distribution



Portal Use

- All taxes paid in one system
- Can manage security based on uses



Refund Offset Program

- Provide refund file as often as is practical
- The more frequently the data is provided, the more accurate it is

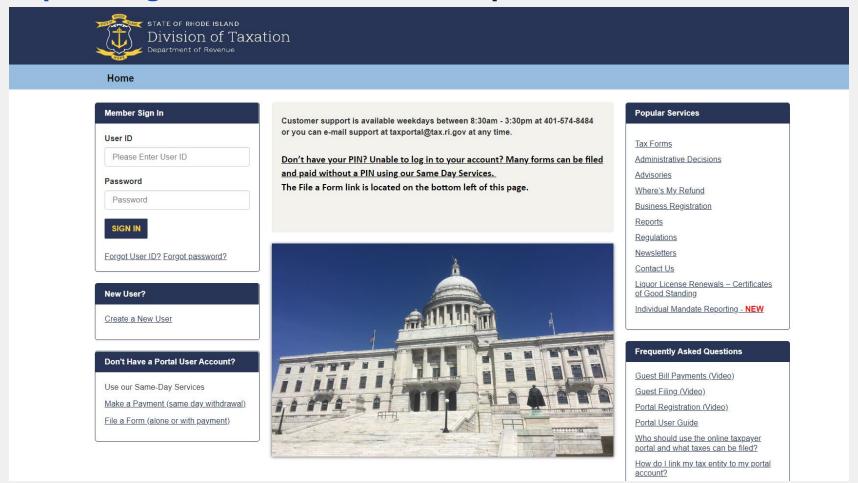


Amanda Cirillo Principal Tax Auditor Excise and Estate Tax

Using the Taxpayer Portal

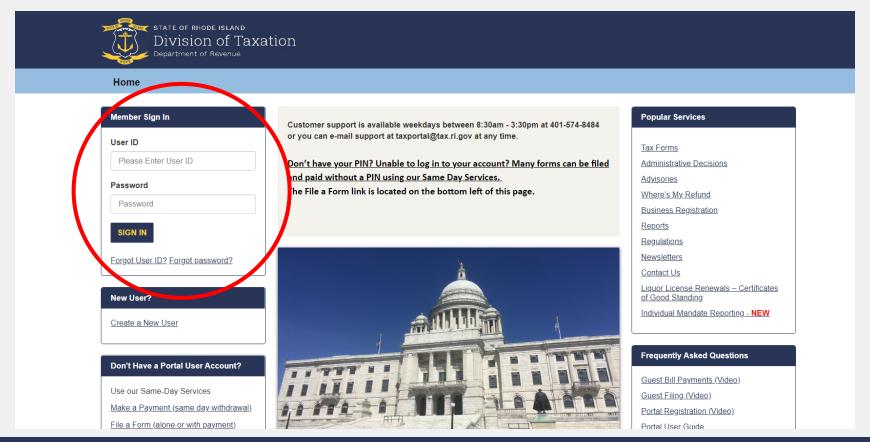
- Benefits of Portal
 - All taxes can be filed and paid from the same site
 - Future payment feature
 - Payments can be warehoused up to 364 days in advance on the Portal
 - Interactive to help ensure accurate filings with all required fields completed
 - All previous filing and payments for all tax types can be viewed
 - Banking information can be securely stored for future use
- Stats 62,000 registered users have submitted 263K payments for over \$1.4B thus far in 2023

Visit <u>www.taxportal.ri.gov</u> and create a User ID and password.

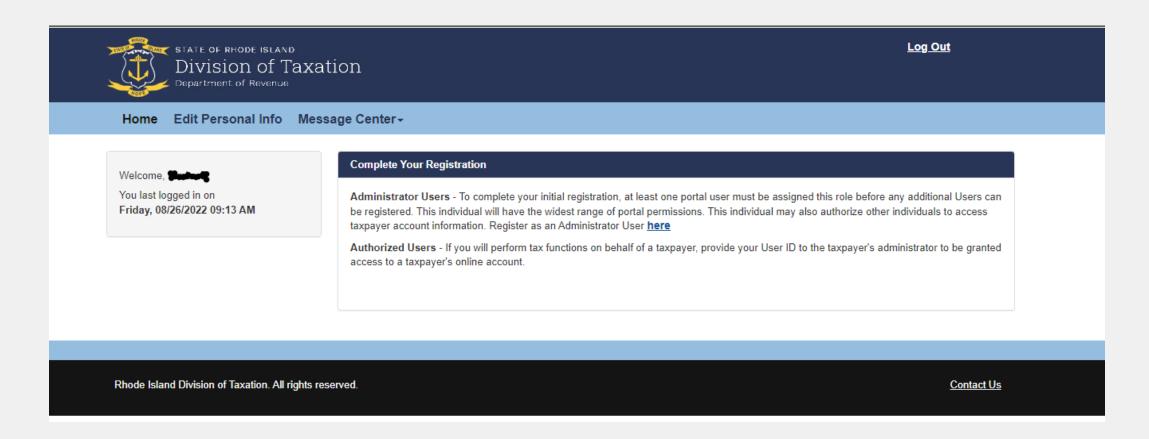


Get PIN from Taxation (call us at 401-574-8484 or email taxportal@tax.ri.gov).

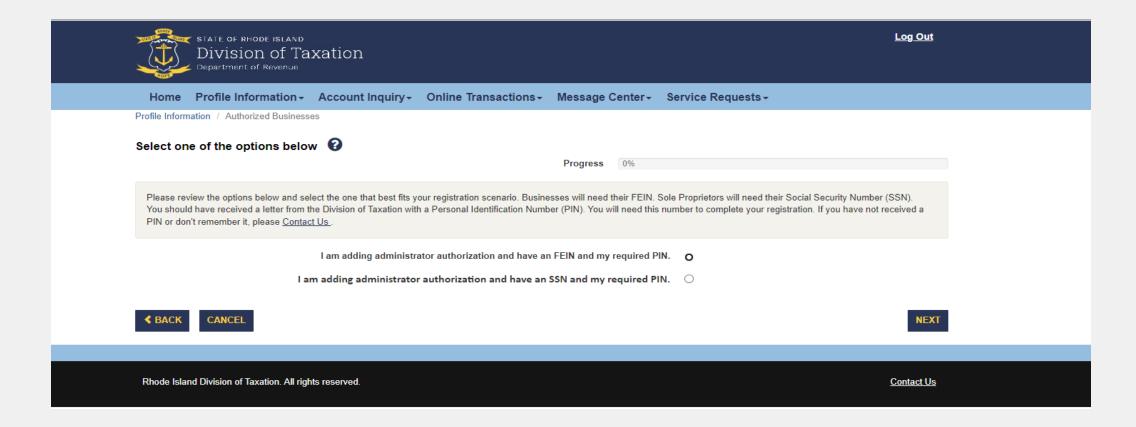
Log in using User ID and password.



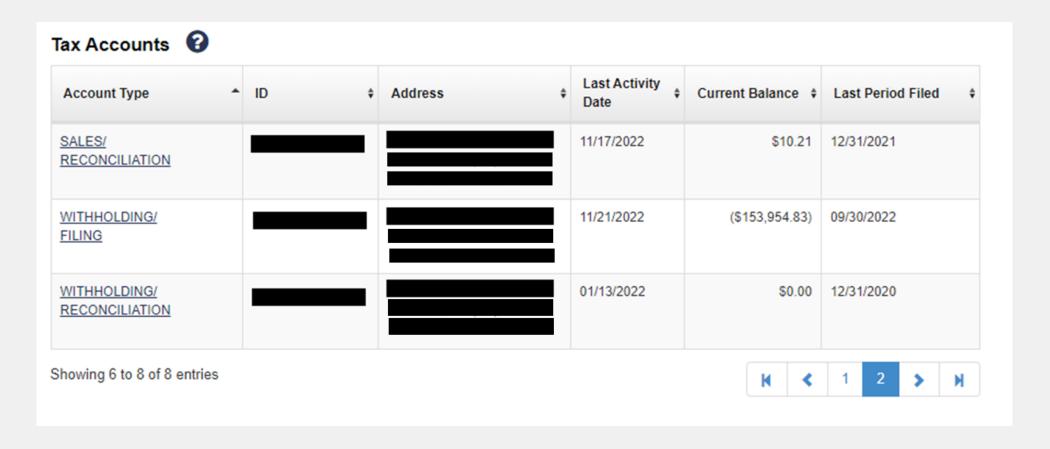
Link User ID to Taxation using PIN.



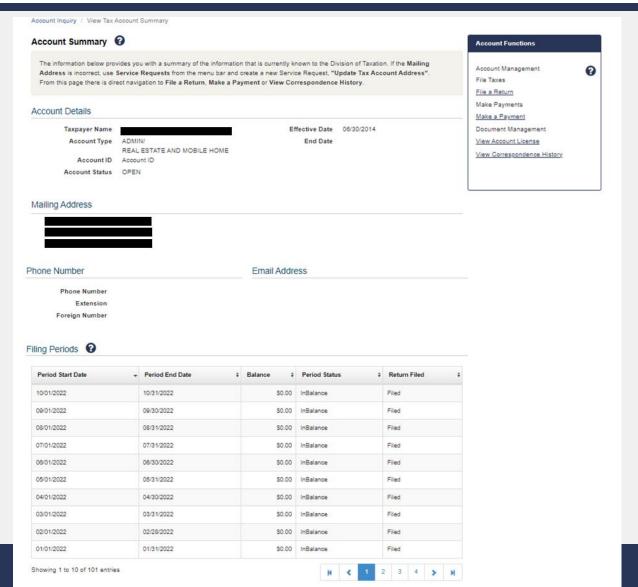
Link User ID to Taxation using PIN



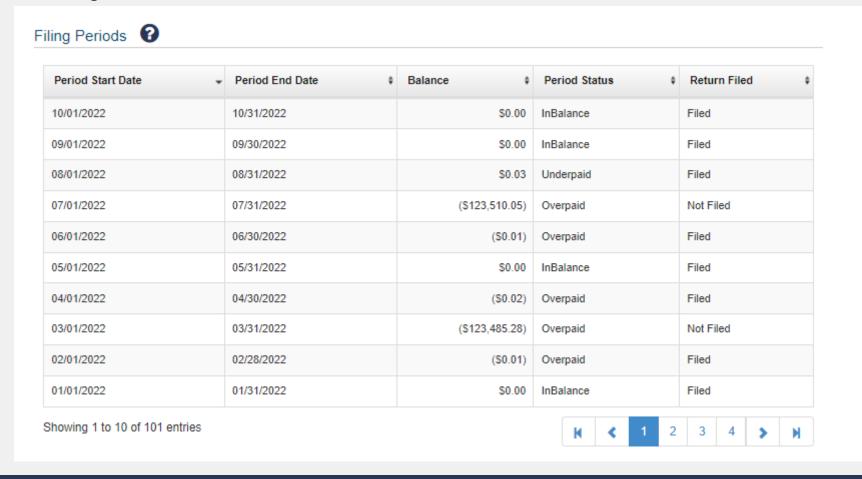
The Account Administrator has access to all accounts



Account summary shows status of period for the accounts



Overpaid periods where returns are not filed show those statuses. For escrow accounts like Real Estate conveyance, funds can not be distributed without returns.

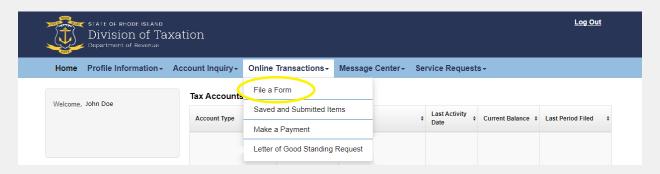


File a Form

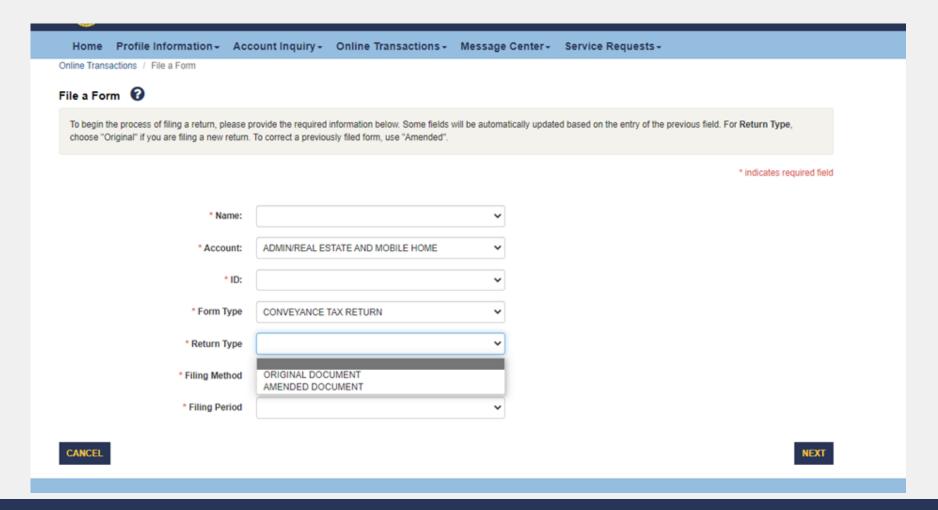
From the Home screen select "Online Transactions" click on the small arrow to the right for drop-down menu.



In the drop-down menu select "File a Form."

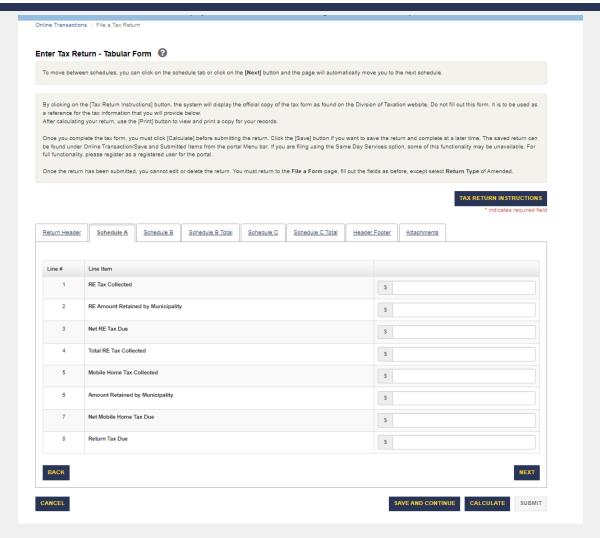


Complete the required drop-downs and select "Next"

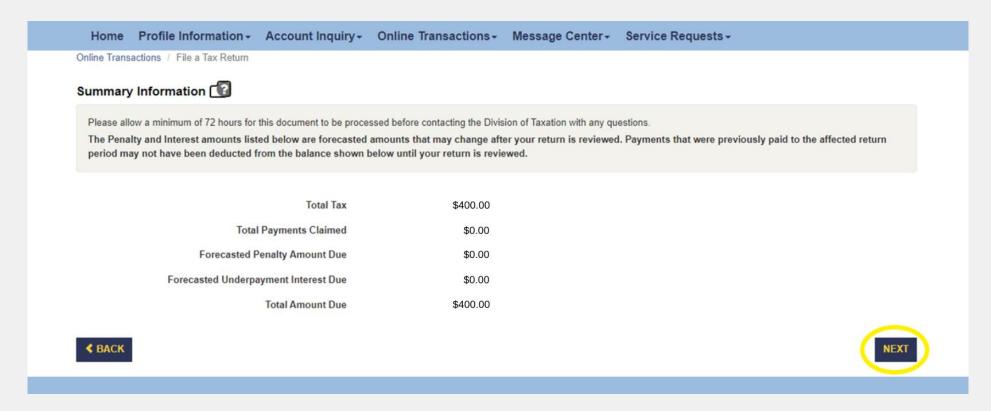


Complete all information needed and select Calculate.

- Complete each applicable tab
- Real Estate Conveyance Example
 - Required to complete
 Schedule A
 - Schedule B and C can be replaced by attachment or completed

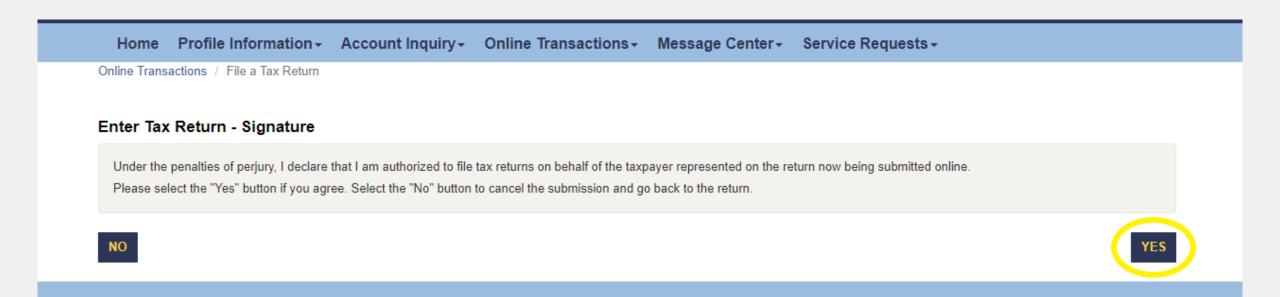


Summary Information An overview of the filing information is presented.



Select "Next"

Tax return signature will prompt you for an electronic signature to verify that you are authorized to file tax return.



Select "Yes" to file return.

This screen confirms the submission of your return. Your next step is to make a payment.

Enter Tax Return - Confirmation

Return was submitted successfully.

If you would like to include a payment with your return, click the [Make a Payment Now] button. Otherwise, click [Return Home]

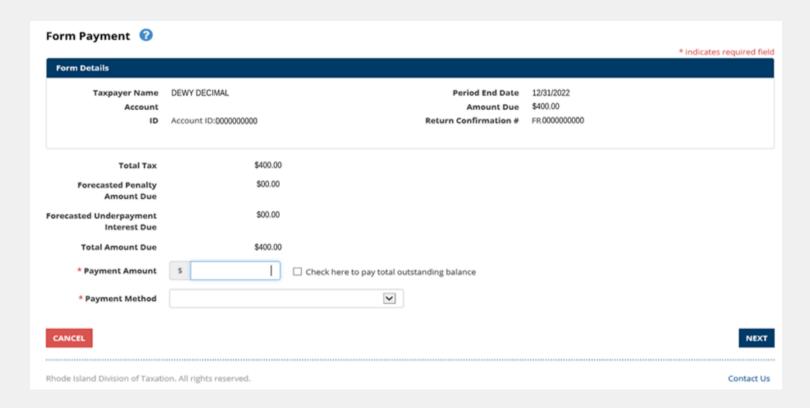
The confirmation number is: FR0005000601

Please print or save this number for future reference.

MAKE A PAYMENT NOW

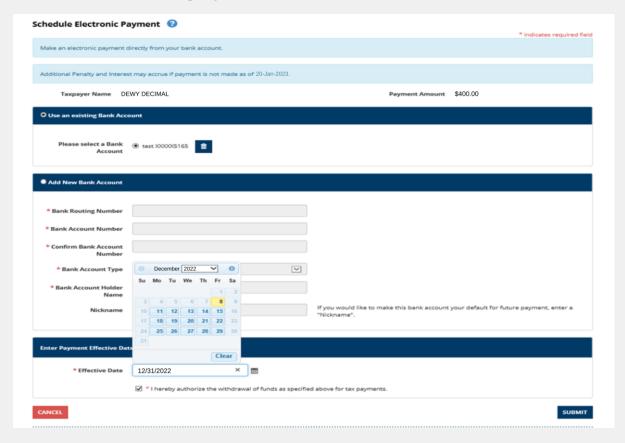
RETURN HOME

Complete Payment Amount and Payment Method, select Next.



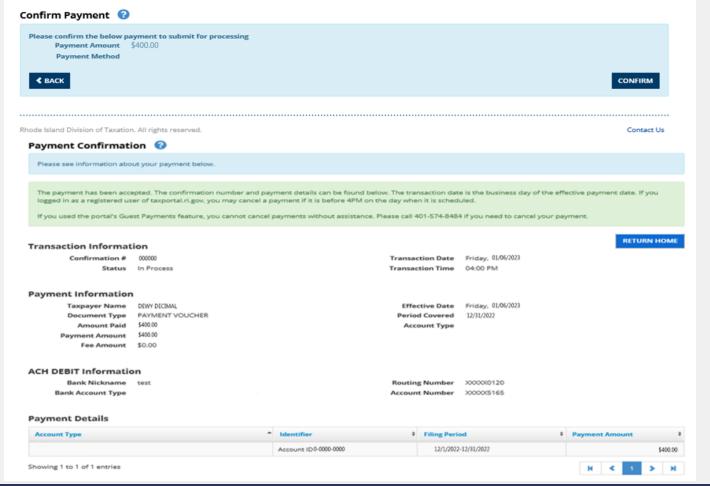
Complete the required information and select Submit.

- Save your banking information for future use.
- Warehouse payments for a future date.



Confirm payment by selecting Confirm.

Payment Confirmation page offers details of submitted payments.



You are invited!

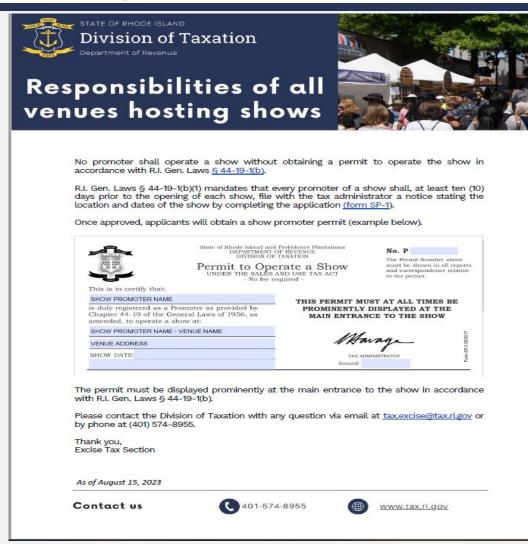
- Taxpayer Portal invites you to join us during one of our regularly hosted virtual training sessions!
- We present a live in-Portal session to inform and enlighten taxpayers and tax professionals. Answer questions to increase your knowledge and comfort. All within the Taxpayer Portal through interactive virtual sessions.
- Sign up for email updates at <u>www.tax.ri.gov</u> to receive notifications of training sessions.
- Thank you for all that you do!

Electronic Filing & Payment Mandate

- Electronic filing and payment mandate for large business registrant taxpayers effective 01/01/2023
 - Large Business Registrant defined:
 - is operating a business whose combined annual liability for **all taxes** administered by the Division of Taxation for the entity is or exceeds \$5,000; or
 - is operating a business whose annual gross income is over \$100,000 for the entity
 - Penalties
 - \$50 per occurrence for failure to file electronically
 - 5% of tax amount or \$500, whichever is less for failure to pay electronically
 - Taxpayers with reasonable causes may be exempt on a case-by-case basis
 - Individuals and trusts filing personal or fiduciary income tax returns are not larger business registrants for the purposes of R.I. Gen Laws §44-1-31.2

Show Promoters and Venue Hosting Information

- Each Entertainment License is required to obtain a "Show Promoters Permit"
- Some city/towns require proof of the permit to obtain the license
- Will receive a "promoter's packet" in this responsibilities sheet



Show Promoters and Venue Hosting Information

- Checklist included in packet
- Allows for compliance with tax statutes
- Including local meals and beverage with vendor's own sales permit
- Direct all questions to Excise Tax Department



Promoters must:

- Apply for the promoter permit at least ten (10) days prior to the opening of each show.
 - Note: A separate permit is required for each show held in Rhode Island.
- Prominently display the promoter permit at the main entrance to the show.
 - · No promoter shall operate a show without obtaining a permit.
- Pick up the permit, along with the number of temporary vendor permits specified on your application, when approved.
- Ensure all vendors have secured their permit packet.
 - · The packet contains 4 carbon pages.
- Ensure all Rhode Island vendors holding a Rhode Island sales tax permit show the promoter their valid and current permit.
 - · Promoter is required to maintain a copy of this permit.
- Ensure all permits are on display at each vendor booth.
-) Collect the pink and white copies of each vendor packet at the close of the show.
- Collect a check for the sales tax collected from each vendor at the close of the show.
 Collect pink copy and check together.
 - Collect checks and/or money orders only. Cash cannot be accepted.
- Deliver pink forms and checks to the Division of Taxation on or before the 20th of the month following the close of the show.
 - Division of Taxation office is located at the Powers Building, 1 Capitol Hill, Providence, RI 02908

Note: Any vendor selling food/beverages is required to have a sales tax permit and must also pay the litter permit fee, which is \$25.00 for periods through 12-31-2023, after which the litter permit will be eliminated. A food vendor must submit both the sales tax return and the meals and beverage return to the promoter at the end of the show.

Please contact the Division of Taxation with any question via email at tax.excise@tax.ri.gov or by phone at (401) 574-8956.

As of August 3, 2023

Contact us



www.tax.ri.gov



Loriann Baccari Principal Tax Auditor Excise and Estate Tax

Real Estate Conveyance Tax – Before and After

- 2021 law: R.I. Gen. Laws § 44-25-1 et seq.
- Under the 2021 law, for sales over \$100, the tax is equal to \$2.30 for each \$500.00 or fractional part thereof that is paid for the purchase of real estate or the interest in an acquired real estate company.
- 2021 Formula: (Total Sales Price ÷ \$500) x \$2.30 = Tax Due
- Enacted in FY 22 Appropriation Bill (House Bill 6122Aaa, Article 14 Section 6, page 285):
 - http://webserver.rilegislature.gov/BillText21/HouseText21/H6122Aaa.pdf.
- 1/1/2022: an additional tax of \$2.30 per \$500 for amounts over \$800,000 is due on **residential** real estate transactions.
- 1/1/2022 formula: (Total Sales Price ÷ \$500) X \$2.30 plus (Amount over \$800K ÷ \$500) x \$2.30 = Tax Due

Real Estate Conveyance Tax – Before and After

R.I. Gen. Laws § 44-25-1(b) In addition to the tax imposed by subsection (a), there is imposed, on each deed, instrument, or writing by which any residential real property sold is granted, assigned, transferred, or conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his, her, or their direction, or on any grant, assignment, transfer, or conveyance or such vesting, by such persons that has the effect of making any real estate company an acquired real estate company, when the consideration paid exceeds eight hundred thousand dollars (\$800,000), a tax at the rate of two dollars and thirty cents (\$2.30) for each five hundred dollars (\$500), or fractional part of it, of the consideration in excess of eight hundred thousand dollars (\$800,000) that is paid for the purchase of property or the interest in an acquired real estate company (inclusive of the value of any lien or encumbrance remaining at the time the sale, grant, assignment, transfer, or conveyance or vesting occurs, or in the case of an interest in an acquired real estate company, a percentage of the value of such lien or encumbrance equivalent to the percentage interest in the acquired real estate company being granted, assigned, transferred, conveyed, or vested).

Real Estate Conveyance Tax – Before and After

REAL ESTATE CONVEYANCE TAX CALCULATION										
Current Formula	(Total Sales Price ÷ \$500) x \$2.30 = Tax Due									
	((Total Sales Price ÷ \$500) X \$2.30) + ((Sales price - \$800K ÷ \$500) x \$2.30) = Tax Due									
REAL ESTATE CONVEYANCE TAX DISTRIBUTION										
TAX		DISTRIBUTION								
Of the \$2.30 per \$500 of Tax Du Price	ue on the Total Sales	\$1.10 to municipality (retained) (47.83%)								
was		\$0.60 for State Use								
		\$0.30 for Distressed Communities Relief Fund								
		\$0.30 to Housing Resources Commission								
Effective Jan. 1, 2022, of the \$2. Due on the amount greater than	•	\$2.30 Housing Production Fund								



Real Estate Conveyance Tax - Example

Examples	Property Selling price		Tax Rate Tier 1 @ \$2.30 insert in line 3		Amount over \$800K		Tax Rate Tier 2 @ \$2.30 insert in line 6		Total Tax due insert in line 7	
1	\$	1,000,000.00	\$	4,600.00	\$	200,000.00	\$	920.00	\$	5,520.00
2	\$	800,000.00	\$	3,680.00	\$	85Te	\$	78:	\$	3,680.00
3	\$	5,000,000.00	\$	23,000.00	\$	4,200,000.00	\$	19,320.00	\$	42,320.00
4	\$	195,000.00	\$	897.00	\$	MT6	\$	78:	\$	897.00
5	\$	300,000.00	\$	1,380.00	\$	8576	\$	78	\$	1,380.00
6	\$	105,240,000.00	\$	484,104.00	\$	104,440,000.00	\$	480,424.00	\$	964,528.00

Common questions relating to Real Estate Conveyance Tax changes:

- Is the additional tax on all transactions or just residential properties?
- What is residential real property?
- Are multifamily homes considered commercial?
- Are mixed-use properties considered "residential" for purposes of the additional tax?
- How should real estate conveyance be allocated when property is located across two towns? Where should the tax be paid?
- What exemptions exist for the real estate conveyance tax?



Q: Is the additional tax on all transactions or just residential properties?

A: The additional tax of \$2.30 per \$500 for amounts over \$800,000 applies to residential property transactions.

R.I. Gen. Laws § 44-25-1, Enacted in FY 22 Appropriation Bill - House Bill 6122Aaa

Q: What is residential real property?

A: Residential real property is determined based on classifications by each city or town.



Q: Are multifamily homes considered commercial?

A: As mentioned on previous slide, the property type would be based on classifications by each city or town.



Q: Are mixed-use properties considered "residential" for purposes of the additional tax?

A: If a property is classified as both residential and commercial (or mixed-use with a residential component) within a city/town, then the portion of the property that is residential would be subject to the additional tax to the extent the consideration apportioned to the residential component exceeds \$800,000.

Q: How should real estate conveyance be allocated when property is located across two towns? Where should the tax be paid?

A: The closing attorney needs to determine how much of the property (value) is located in each municipality to allocate the tax.

Q: What exemptions exist for the real estate conveyance tax?

A: R.I. Gen. Laws § 44-25-2 covers all exemptions.

- instrument or writing given to secure a debt.
 - A refinancing or some financing with no change in ownership including equity loans
- Real estate sales by the United States, the state of Rhode Island, or its political subdivisions.
- Real estate sale of a mobile or manufactured home community to a resident-owned organization as defined in R.I. Gen. Laws § 31-44-1
- Real estate sales to the state of Rhode Island or any of its political subdivisions.
- Specific exemption from Acquired Real Estate for Affordable Housing Development in R.I. Gen. Laws § 44-25-2(f)

Section Contact Information

Taxation Self-Service Portal Help

- Phone: 401-574-8484
- Email: <u>taxportal@tax.ri.gov</u>

Help includes PIN requests, setting up an online account, filing a return on the Portal or making a Portal payment.

Sales & Excise Tax

- Phone: 401-574-8955
- Email: <u>Tax.Excise@tax.ri.gov</u>

Questions?





Thank you

