



State of California
Franchise Tax Board

3561 BOOKLET

Installment Agreement

You may be eligible to make monthly installment payments if you have a financial hardship and cannot pay your tax amount in full. If we approve your request, we agree to let you pay the tax amount you owe in monthly installments instead of immediately paying the amount in full. You must make your monthly payments through electronic funds transfer (EFT). EFT allows you to automatically make payments to the Franchise Tax Board by a direct transfer of funds from your checking or savings bank account.

When you request an installment agreement, you agree to meet all future tax liabilities. You must file your future returns timely and have enough withholding or estimated tax payments to pay your tax liability in full for future years. You will be in default on your agreement, if you do not make your payments on time or if you have an outstanding past due amount in a future year. We may take collection actions to collect the entire amount you owe. Please, check your W-4 or DE-4 on file with your employer to be sure that your withholding rate is correct. If you have income from other sources, be sure that your estimate payments are adequate.

What you should know if you are approved for an installment agreement

- We will automatically deduct your payments from your bank account.
- Additional interest and some penalties continues to accrue while you make your scheduled payments.
- You must contact your employer to adjust your W-4 form to ensure that your tax is covered each year. You may need to change your W-4 form to ensure enough money is being withheld to pay any future tax.
- We will keep (offset) any state tax refund you are due and deduct it from the total amount you owe. This offset will not replace your monthly payment.
- We may file a state tax lien to protect the state's interest until you pay off your balance (Government Code Section 7170-7173). The lien may appear on your credit record.

Mail the completed financial statement to:

**Franchise Tax Board
PO Box 942867
Sacramento CA 94267-0041**

Notes

Franchise Tax Board Privacy Notice

The privacy of your tax information is of the utmost importance to us.

Your Rights

You have a right to see our records that contain your personal information. We must tell you why we ask for your income tax information and to whom we provide it. You also have the right to question the accuracy of the information contained within your file.

Your Responsibilities

If you meet certain income requirements, you must file a return on the forms we prescribe. When you file the return and related documents, you must include your social security number for identification and return processing. (R&TC Sections 18501, 18621, and 18624)

Reasons for Information Requests

We ask for return information so that we can administer the tax laws fairly and correctly. We may request additional information to resolve audit or collection issues. You must furnish all requested information.

Consequences of Noncompliance

We charge penalties and interest if you:

- Meet income requirements but do not file a tax return.
- Do not provide the information we require and request.
- Provide fraudulent information.

We may pursue criminal prosecution. We may also disallow your claimed exemptions, exclusions, credits, deductions, or adjustments. This could increase your tax liability, or delay or reduce any tax refund.

Information Disclosure

We may disclose your tax information to:

- The Internal Revenue Service.
- Other states' income tax officials.
- The Multistate Tax Commission.
- Appropriate California government agencies and officials.
- Third parties when necessary to determine or collect on your tax liabilities.

If you owe us money, we can disclose the amount due to employers, financial institutions, county recorders, vacation trust funds, process agents, or others who may hold assets belonging to you.

Responsibility for the Records

The director of the Processing Services Bureau maintains Franchise Tax Board's records. You can obtain information about your records by:

Telephone:

(800) 852-5711
(within the United States)
(916) 845-6500
(outside of the United States)
(not toll-free)

Mail:

DISCLOSURE OFFICER MS A181
FRANCHISE TAX BOARD
PO BOX 1468
SACRAMENTO CA 95812-1468

Taxpayers' Bill of Rights

The California Taxpayers' Bill of Rights (R&TC Sections 21001-21028) requires that we adequately protect the rights, privacy, and property of all California taxpayers during the process of assessing and collecting taxes. Our goal is to make certain we protect your rights. We want you to have the highest confidence in the integrity, efficiency, and fairness of our state tax system. FTB 4058, *California Taxpayers' Bill of Rights*, includes information on state taxpayers' rights and how to request written tax advice from us. Get FTB 4058 at ftb.ca.gov or call us at 800.338.0505 (select Personal Income Tax), or mail us at FRANCHISE TAX BOARD, PO BOX 942840, SACRAMENTO CA 94240-0040.

Alternatives to Collection Actions

If you contact us, you can prevent collection actions by doing any of the following:

- Paying your tax liability in full.
- Making an installment agreement.
- Filing any required returns or providing proof that no return is due.
- Making an Offer in Compromise that we accept.
- Establishing that your financial hardship prevents you from paying this liability.

Laws Regarding Collection Actions

Third Party Contacts: We may contact third parties to determine or collect your tax liabilities. To the extent the law allows, we will provide you, upon your request, a list of individuals or organizations we contacted during the 12-month period following the date of the enclosed notice. We must receive your request no later than 60 days after the 12-month period has ended. (R&TC Section 19504.7)

Installment Agreement Cancellation: If we cancel your installment agreement, we will notify you in writing 30 days prior to the cancellation. (R&TC Section 19008)

Tax Liens: If we file a tax lien, you can get it released by paying the total tax liability (including any penalties and accrued interest) for the tax years represented by the lien. We will record a certificate of release in the office of the county recorder where we filed the tax lien and/or with the California Secretary of State no later than 40 days after you pay the liability. If you pay by check, the 40-day period does not begin until your financial institution honors the check. (R&TC Section 19206)

Unfortunately, we sometimes file a tax lien in error. If this happens to you, please write to us and tell us why you think we are wrong. If we agree with you, we will send a notice to the applicable county recorder's office and to credit reporting companies in that county stating that we filed the tax lien in error. (R&TC Section 21019)

Bank, Wage, or Other Levies: If we take your property and you believe our action is improper, you have the right to a hearing. At the hearing, you should provide information that demonstrates to us the need to change or withdraw our levy or stop the sale of your property.

If we seize your bank account in error, and you did not contribute to that error, we may reimburse you for related bank charges. You must file your reimbursement claim within 90 days of the levy. (R&TC Section 21018)

The California Code of Civil Procedure Sections 700.010 through 704.995, and the California Revenue and Taxation Code Sections 18670 and 18671 govern the seizure and sale of real and personal property. The California Code of Civil Procedure Sections 706.020 through 706.154 govern wage garnishment.

You can contact the **Taxpayers' Rights Advocate** by:

MAIL: Taxpayers' Rights Advocate
Executive and Advocate Services MS A381
PO BOX 157
RANCHO CORDOVA CA 95741-0157

TELEPHONE: 800.883.5910

WEBSITE: www.ftb.ca.gov

Internet and Telephone Assistance

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the United States
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments