

Avalara



# **CertCapture for W-9s**

## Processes and Regulations

Presentation by Matt Macneil and Annette Campbell

# Agenda

1. Introductions
2. Collections
3. What does the IRS expect?
4. Tying the process to 1099 Forms
5. Manage the entire process with CertCapture
6. Demonstration
7. Questions



# Introductions



**Matt MacNeil**

- Co-founder of CertCapture, now a division of Avalara, Inc.
- Tax consultant for 15+ years.

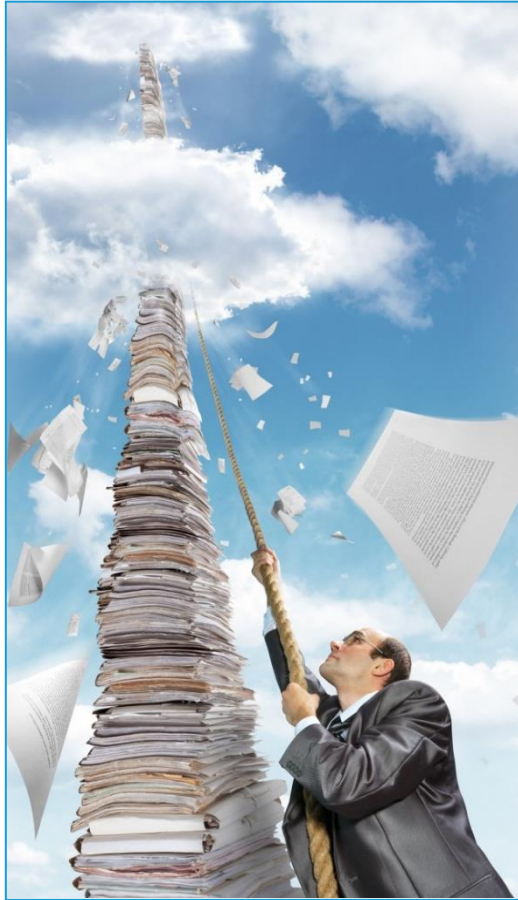


**Annette Campbell**

- Manager of the Avalara W-8/9 Products
- Oversees services for Federal Compliance.



# CertCapture W-9



## Avalara CertCapture

Widely recognized as the leader in state sales tax exemption certificate management, CertCapture has evolved to manage W-9 forms and other federal compliance documents.



# What is a W-9/W-8 Form?

- IRS Form request for a taxpayer identification number.
- W9 is for US citizens and businesses.
- W8 is for foreign individuals and businesses.
- Collection of a W9/W8 form from independent contractors, vendors, corporations, etc., is required by IRS regulation.
- A W8/W9 form certifies that the TIN provided is correct and the payee is not subject to backup withholding



# Why collect W-9 forms?

1. It's the Law.
2. Sets the stage for the 1099 process.
3. Without a valid document on file, you are required to withhold tax money on your vendor's behalf.



# Which form should you collect?

- U.S. entity or U.S. citizen or resident..... W-9
- A foreign individual..... W-8BEN (Individual)
- A foreign individual or entity claiming that income is effectively connected with the conduct of trade or business within the U.S. (unless claiming treaty benefits).....W-8ECI
- A foreign partnership, a foreign simple trust, or a foreign grantor trust (unless claiming treaty benefits) (see instructions for exceptions) .. W-8IMY





# Which form should you collect?

- A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming that income is effectively connected U.S. income or that is claiming the applicability of section(s) 115(2), 501(c), 892, 895, or 1443(b) (unless claiming treaty benefits) (see instructions) .... W-8ECI or W-8EXP
- Any person acting as an intermediary ..... W-8IMY







# CertCapture W-9

The form must be completed properly by the vendor.

## ADDRESS

The address is actually not critical to the acceptance of the W-9 form.

<b>Form W-9</b> (Rev. August 2013) Department of the Treasury Internal Revenue Service		<b>Request for Taxpayer Identification Number and Certification</b>		Give Form to the requester. Do not send to the IRS.
Name (as shown on your income tax return)				
Business name/disregarded entity name, if different from above				
Print or type See Specific Instructions on page 2.	Check appropriate box for federal tax classification:			Exemptions (see instructions):
	<input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate			Exempt payee code (if any) _____
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____			Exemption from FATCA reporting code (if any) _____
	<input type="checkbox"/> Other (see instructions) ▶ _____			
Address (number, street, and apt. or suite no.)			Requester's name and address (optional)	
City, state, and ZIP code				
List account number(s) here (optional)				
<b>Part I Taxpayer Identification Number (TIN)</b>				
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.				<b>Social security number</b>
Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.				<input type="text"/> - <input type="text"/> - <input type="text"/>
<b>Part II Certification</b>				
Under penalties of perjury, I certify that:				
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and				
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and				
3. I am a U.S. citizen or other U.S. person (defined below), and				
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.				
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.				



# CertCapture W-9

The form must be completed properly by the vendor.

**TIN: TAX IDENTIFICATION NUMBER**

This section must show a Social Security Number or an Employer Identification Number.

Form <b>W-9</b> (Rev. August 2013) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer Identification Number and Certification</b>	Give Form to the requester. Do not send to the IRS.	
Name (as shown on your income tax return)			
Business name/disregarded entity name, if different from above			
Print or type See Specific Instructions on page 2.	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____		Exemptions (see instructions):  Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
	Address (number, street, and apt. or suite no.)		Requester's name and address (optional)
	City, state, and ZIP code		
	List account number(s) here (optional)		
<b>Part I Taxpayer Identification Number (TIN)</b>			
Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.		Social security number [ ] [ ] [ ] - [ ] [ ] - [ ] [ ] [ ] [ ]	
Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.		Employer identification number [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]	
<b>Part II Certification</b>			
Under penalties of perjury, I certify that:			
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and 3. I am a U.S. citizen or other U.S. person (defined below), and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.			
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.			





# CertCapture W-9

## When is back-up withholding required per IRS regulations?

- When there is no W-9 on file.
- If the customer does not provide a TIN.
- If the form is not certified/signed.
- When the IRS says the TIN is not valid.
- When the IRS informs you that you must.



# CertCapture W-9

## The IRS said that the TIN not valid.

The IRS requests that you validate the TIN and legal name with IRS records. Possible errors include:

- Incorrect TIN or number of digits.
- TIN is not currently issued.
- TIN does not match legal name.





# CertCapture W-9

**No W-9 is required when the seller is a Government Agency.**

- Federal
- State
- County
- City



# CertCapture W-9

## FATCA

### Foreign Account Tax Compliance Act

- Law created in March 2010, but most items went into effect July 2014.
- Goal: Find hidden foreign assets of US citizens.





# CertCapture W-9

## Payees Exempt from FATCA-But still need documentation

- Individuals ( New Form W-8BEN for individuals)
- Foreign Governments
- International Organizations
- Foreign Central Banks of Issue
- Governments of U.S. Territories
- Foreign Retirements Plans
- Form W-8EXP if treaty claim, W-8BEN or if nominee or flow-thru entity a W-8IMY.



# CertCapture W-9

Form **W-9**  
(Rev. August 2013)  
Department of the Treasury  
Internal Revenue Service

**Request for Taxpayer Identification Number and Certification**

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

Name (as shown on your income tax return)

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:  
 Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate  
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ \_\_\_\_\_  
 Other (see instructions) ▶ \_\_\_\_\_

Exemptions (see instructions):  
 Exempt payee code (if any) \_\_\_\_\_  
 Exemption from FATCA reporting code (if any) \_\_\_\_\_

Address (number, street, and apt. or suite no.)  
 City, state, and ZIP code  
 List account number(s) here (optional)

Requester's name and address (optional)

---

**Part I Taxpayer Identification Number (TIN)**  
 Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**  
 Under penalties of perjury, I certify that:  
 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and  
 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and  
 3. I am a U.S. citizen or other U.S. person (defined below), and  
 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here**    Signature of U.S. person ▶ \_\_\_\_\_    Date ▶ \_\_\_\_\_

**General Instructions**  
 Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.  
**Purpose of Form**  
 A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you.

withholding tax on foreign partners' share of effectively connected income, and  
 4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.  
**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.  
**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:  
 • An individual who is a U.S. citizen or U.S. resident alien,  
 • A partnership, corporation, company, or association created or organized in the

VOID     CORRECTED

PAYER'S name, street address, city or town, province or state, country, ZIP or foreign postal code, and telephone no.		1 Rents \$	OMB No. 1545-0115	Miscellaneous Income
PAYER'S identification number		2 Royalties \$	<b>2014</b>	
RECIPIENT'S identification number		3 Other income \$	Form 1099-MISC	Copy 1 For State Tax Department
City, state, province or state, country, and ZIP or foreign postal code		4 Federal income tax withheld \$	5 Fishing boat proceeds \$	
Account number (see instructions)		6 Medical and health care payments \$	7 Nonemployee compensation \$	8 Substitute payments in lieu of dividends or interest \$
15a Section 409A deferrals \$		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale ▶ <input type="checkbox"/> \$	10 Crop insurance proceeds \$	11 Foreign tax paid \$
15b Section 409A income \$		12 Foreign country or U.S. possession	13 Excess golden parachute payments \$	14 Gross proceeds paid to an attorney \$
16 State tax withheld \$		17 State/Payer's state no.	18 State income \$	

Form 1099-MISC    [www.irs.gov/form1099misc](http://www.irs.gov/form1099misc)    Department of the Treasury - Internal Revenue Service



# CertCapture W-9

## When should you file a 1099?

1. You made the payment to someone who is not your employee;
2. You made the payment for services in the course of your trade or business (including government agencies and nonprofit organizations);
3. You made the payment to an individual, partnership, estate, or in some cases, a corporation; and
4. You made payments to the payee of at least \$600 during the year.



# CertCapture W-9

## What is a “B” Notice?

- An incorrectly filed 1099 submitted to the IRS will result in a CP2100 or better know as a B Notice. You will then have 30 days to correct this or face penalties.
- Collecting the proper TIN at the time of payment in the form of a W9 will reduce this burden.



# CertCapture W-9

## Questions to ask your team:

- Can your ERP store vendor legal name and TIN? What fields? Where are they stored?
- Does your software have the capability to do mass mailings to contact vendors?
- Do you have the capability to verify incoming W-9 forms? Can you load the data back into your ERP?
- Are you going to store the documents? Where?





# CertCapture W-9

## CertCapture makes managing W-9s easier.

- Generate mass mailings, emails, faxes to vendors. Include a client specific cover letter and form.
- Create reports of which vendors have W-9s on file or are missing.
- Identify which W-9 forms are valid or invalid and why.



# CertCapture W-9

## Improve Processes

- Reduce Back-up withholding.
- Reduce B notices
- Reduce the cost of compliance through automation.



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1. Introductions
2. Collections
3. What does the IRS expect?
4. Tying the process to 1099 Forms
5. Manage the entire process with CertCapture
6. **Demonstration**
7. Questions



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# Thank you!

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