

Attach to Form NYC-204

For CALENDAR YEAR 2020 or FISCAL YEAR beginning \_\_\_\_\_ 2020 and ending \_\_\_\_\_

Print or Type ▼

Name as shown on NYC-204: \_\_\_\_\_

EMPLOYER IDENTIFICATION NUMBER  
 \_\_\_\_\_ - \_\_\_\_\_

	YEAR 1		YEAR 2		YEAR 3		YEAR 4		YEAR 5	
	MM-DD-YYYY		MM-DD-YYYY		MM-DD-YYYY		MM-DD-YYYY		MM-DD-YYYY	
1a. Loss year ended										
1b. Allocated NYC net operating loss incurred										
2. Amount of Line 1b previously absorbed by year ended	MM-DD-YYYY:	AMOUNT:	MM-DD-YYYY:	AMOUNT:	MM-DD-YYYY:	AMOUNT:	MM-DD-YYYY:	AMOUNT:	MM-DD-YYYY:	AMOUNT:
3. Add line 2 plus any additional year(s) (Attach schedules)										
4. Subtract Line 3 from Line 1b										
5. Enter the amount from Form NYC-204, Page 1, Schedule A, Line 10 (See instructions)										
5a. Enter 80% of Form NYC-204, Page 1, Schedule A, Line 10 (See instructions)										
5b. Subtract from line 5a the sum of amounts entered on line 10 of prior loss years and divide by line 9. Enter results. (See instructions)										
6. Enter the lesser of Lines 4, 5, 5a or 5b										
7. Compute and enter the total percentage interests in income and deductions for the loss year partners who were also partners during the current year										
8. Is this percentage equal to or greater than 80%? If "NO," the loss cannot be applied to the current year	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
9. Compute and enter the total percentage interests in income and deductions for the current year of those partners who were partners in both the loss year and the current year										
10. Multiply amount on Line 6 by Loss Limitation Percentage on Line 9										
11. Sum of the amounts on Line 10 . Enter here and on Form NYC-204, Page 1, Schedule A, Line 11. This is your Net Operating Loss Deduction.	➔									

**Note:** According to the federal Tax Cuts and Jobs Act of 2017, net operating losses (NOL) generated during or after 2018 generally may no longer be carried back. These losses may be carried forward indefinitely; however each year's NOL deduction will be limited to 80% of taxable income (without regard to the deduction).

Note further that for UBT purposes, Admin. Code §11-507(2)(c) decouples from the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) provisions that temporarily reversed the Tax Cuts and Jobs Act changes relating to net operating losses for federal purposes. See Finance Memorandum 20-6 for more information.

*The schedule allows for up to five (5) loss years. If the current year's net operating loss deduction is derived from more years, please complete and attach separate schedule(s).*

The net operating loss deduction allowable on Form NYC-204 is computed in the same manner for unincorporated business tax purposes as it would be for federal income tax purposes if the unincorporated business were an individual taxpayer, but taking into account only unincorporated business gross income and unincorporated business deductions allocated to New York City of the unincorporated business.

If the unincorporated business was carried on both inside and outside New York City during the year in which the net operating loss was sustained, the allowable current year's net

operating loss deduction is determined by reference to the allocation basis or method used in the year the loss was sustained, regardless of whether the unincorporated business was carried on both inside and outside New York City during the current year.

**LINE 1a**

Enter the year ended date (MM-DD-YYYY) for the earliest loss year in column Year 1.

**LINE 1b**

Enter the amount of loss allocated to New York City for the loss year

**LINES 2 and 3**

For purposes of completing line 2, the amount of loss absorbed in a year is determined without regard to changes in interests of the member partners.

**LINE 5**

If the amount on Form NYC-204, Schedule A, line 10 is a loss, enter "0." Enter on line 5 the amount from Form NYC-204, Schedule A, line 10. On the column for any subsequent loss year, enter on line 5 the amount from the current year's Form NYC-204, Schedule A, line 10, reduced by the sum of the amounts entered on line 10 for any earlier loss years.

**LINE 5a**

This line should only be filled out for loss years beginning on or after January 1, 2018. Enter on this line 80% of Form NYC-204, Schedule A, line 10. Do not reduce this line for subsequent loss years.

**LINE 5b**

This line should only be filled out for loss years beginning on or after January 1, 2018. For the first loss year beginning on or after such date, the amount on this line should equal the amount on line 5a. For all subsequent loss years, deduct from line 5a the sum of amounts entered on line 10 for prior loss years beginning on or after January 1, 2018, and divide the result by the percentage on line 9 of the current loss year.

**LINES 7, 8, 9 and 10**

For limitations on the net operating loss deduction of a partnership where the interests of the member partners have changed between a loss year and the year for which the deduction is claimed, refer to Section 11-507(2)(b) of the NYC Administrative Code and 19 RCNY Section 28-06(c)(3). If line 8 is marked "NO", skip lines 9 and 10 for that loss year.

**LINE 10**

Multiply the percentage on line 9 by the amount on line 6. The excess, if any, of the amount on line 6 over the amount entered on line 10 is considered absorbed and is not available as a carryover to another year.

**LINE 11**

Add the amounts on Line 10. Enter the total here and on Form NYC-204, Page 1, Schedule A, Line 11.