

2009
FORM
N-288C
(Rev. 2008)

STATE OF HAWAII — DEPARTMENT OF TAXATION
Application for Tentative Refund of
Withholding on Dispositions by
Nonresident Persons of Hawaii Real
Property Interests

DO NOT WRITE OR STAPLE IN THIS SPACE

For calendar year 2009 or other tax year

beginning • _____, 2009 and ending • _____, 200_____

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NOTE: DO NOT file this form unless you have received notification from the Department of Taxation that we have received your withholding payment.

Name (If joint return, give first names and initials of both) • _____	Last Name	• Your Social Security Number
Name (Corporation, Partnership, Trust, or Estate) • _____		• Spouse's Social Security Number
Dba or C/O • _____		• Federal Employer I.D. No.
Address (number and street) • _____		
City, State, and ZIP code (province, postal code, and country) • _____		

Description of Hawaii real property transaction:

a. Date of transfer (month, day, year) _____

b. Location and general description of property

c. Tax map key number _____

Check only ONE box:
 Individual
 Others (Corporation, Partnership, Trust, or Estate)

Was the property used at anytime as a rental? **Yes** **No** If yes, enter your Hawaii Tax I.D. Number: **W** _____ - ____ and indicate the start date and end date of the rental activity: (month, day, year) _____ to (month, day, year) _____

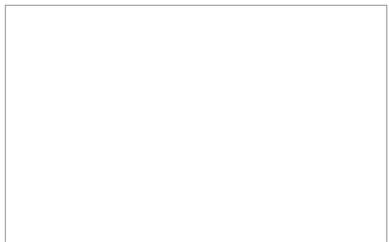
1. Enter the amount withheld on Form N-288A. (Attach a copy of Form N-288A)		1 •	
2. Sales price	2		
3. Cost or other basis (see Instructions)	3		
4. Gain. Line 2 minus line 3 (see Instructions for installment sales)	4		
5. Enter the tentative tax on the gain (see Instructions)		5 •	
6. REFUND of amount withheld. Line 1 minus line 5. (This line MUST be filled in.)		6 •	

Please Sign Here

I hereby declare under penalties provided by section 231-36, HRS, that I have examined this application and accompanying attachments, and, to the best of my knowledge and belief, they are true, correct, and complete.

• _____
Signature Title (If applicable) Date

• _____
Signature Title (If applicable) Date



THIS SPACE FOR DATE RECEIVED STAMP

MAILING ADDRESS
HAWAII DEPARTMENT OF TAXATION
P. O. BOX 1530
HONOLULU, HAWAII 96806-1530

FORM N-288C INSTRUCTIONS

(REV. 2008)

General Instructions

Purpose of Form

Use Form N-288C to apply for a refund of the amount withheld on dispositions by nonresident persons of Hawaii real property interests which is in excess of the transferor/seller's tax liability for the transaction.

IMPORTANT: If Form N-288C was filed, the transferor/seller must still file a Hawaii income tax return (Form N-15, N-20, N-30, N-35, or N-40) after the end of the taxable year, report the entire income for the year (from other sources as well as the transaction), and pay any additional tax due on the income or request a refund.

Who May File an Application

The transferor/seller may file Form N-288C.

NOTE: Under Section 235-111, Hawaii Revised Statutes, any claim for credit or refund of an overpayment of taxes must be

filed within three years from the due date of the return, or within two years from the time the tax was paid, whichever is later.

Where to Send Form N-288C

File Form N-288C with the Hawaii Department of Taxation. See the front of the form for the mailing address.

Specific Instructions

NOTE: Before you begin to fill in Form N-288C, you should review the notification you received from the Department of Taxation that we have received your withholding payment to make sure that the information contained in it is correct.

At the top of Form N-288C, enter the taxable year of the transferor/seller if it is other than a calendar year.

Also, enter the name, address, and identification number (social security number or federal I.D. number), if any, of the transferor/seller applying for a refund of the amount withheld.

corrected on the copy of the notification you returned to the Department of Taxation. If the transferor/seller was issued an individual taxpayer identification number (ITIN) by the IRS, enter the ITIN.

Also, enter the information describing the Hawaii real property transaction. In b, enter the address and description of the property. In c, enter the tax map key number.

Line 2. Enter the gross sales price from the sale. Attach a copy of your closing escrow statement from your sale of this property.

Line 3. In general, the cost or adjusted basis is the cost of the property plus purchase commissions and improvements, minus depreciation (if applicable). Increase the cost or other basis by any expense of sale, such as commissions and state transfer taxes.

Line 4. Line 2 minus line 3. However, if you are reporting the gain under the installment method, attach a separate sheet showing the principal payments received during the taxable year and the gross profit percentage.

Line 5. If you are a C corporation, multiply line 4 by 4% and enter the result on line 5. If you are a person other than a C corporation, you must use the tax rate schedules to the left to determine the amount to enter on line 5.

Note: These tax rates apply to long-term capital gains. For short-term capital gains, use the tax rates in the 2008 income tax booklets to determine the amount to enter on line 5.

For partnerships, S corporations, trusts, or estates, the gain on line 4 must be allocated among each partner or member, S corporation shareholder, or beneficiary of the trust or estate. Calculate the tax liability for each partner or member, S corporation shareholder, or beneficiary of the trust or estate.

Signature

Form N-288C must be signed by an individual, a responsible corporate officer, a member or general partner of a partnership, or a trustee, executor, or other fiduciary of a trust or estate.

NOTE: Incomplete forms will be returned to the transferor/seller. Please fill out all items.

2009 Tax Rate Schedules

Schedule I

SINGLE INDIVIDUALS AND MARRIED INDIVIDUALS FILING SEPARATE RETURNS

Table with 2 columns: 'If the taxable income is:' and 'The tax shall be:'. Rows include income brackets from 'Not over \$2,400' to 'Over \$24,000' with corresponding tax rates and calculations.

Schedule II

MARRIED INDIVIDUALS FILING JOINT RETURNS AND CERTAIN WIDOWS AND WIDOWERS

Table with 2 columns: 'If the taxable income is:' and 'The tax shall be:'. Rows include income brackets from 'Not over \$4,800' to 'Over \$48,000' with corresponding tax rates and calculations.

Schedule III

HEAD OF HOUSEHOLD

Table with 2 columns: 'If the taxable income is:' and 'The tax shall be:'. Rows include income brackets from 'Not over \$3,600' to 'Over \$36,000' with corresponding tax rates and calculations.

Computation of cost or other basis

Table for 'Computation of cost or other basis' with 4 rows: 1. Purchase price of property, 2. Add: Improvements, Selling expenses, Other (list), 3. Less: Depreciation, Other (list), 4. Adjusted basis of property. Includes dollar signs and blank lines for input.