



## LAW ALERT

March 27, 2020

By: David N. Milner, Esq.

**RMF**  
RUSKIN MOSCOU FALTISCHEK P.C.  
*Smart Counsel. Straight Talk.*

### TAX RELIEF DURING THE COVID-19 PANDEMIC

On March 21, 2020 in IR-2020-58 the Treasury Department and the IRS announced that the income tax filing due date would be automatically extended from April 15, 2020 to July 15, 2020. There is no need to file an application in order to be granted this extension of time to file unless you wish to extend your time to file your income tax returns beyond July 15, 2020. Individuals can receive an automatic extension of time to file their personal returns until October 15, 2020, by filing Form 4868. Corporations can do the same by filing Form 7004.

In addition, taxpayers are able to defer federal income tax payments due on April 15, 2020 to July 15, 2020, regardless of the amount owed without incurring penalties or interest. Previously the Treasury Department and IRS had placed a cap of \$1,000,000 on the amount individuals could defer and \$10,000,000 on the amount corporations could defer. The deferment applies to federal income tax payments payable by individuals, corporations, trusts and estates and non-corporate filers. The deferment also applies to self-employment tax.

It is important to note that this Notice only applies to income tax returns and income tax payments due on April 15, 2020. Whether relief will be provided for income tax payments due after April 15, 2020, or for other tax returns and payments remains to be seen. For the moment June 15, 2020, remains the due date for making the second payment of an individual's estimated tax liability for 2021.

Additional guidance can be found at: <https://www.irs.gov/newsroom/filing-and-payment-deadlines-questions-and-answers>

The Notice only applies to Federal returns and payments. Each state is addressing the issue separately. There is no uniformity. The American Institute of Certified Public Accountants has established a page on its website where information for the various states and cities can be found. This site is being updated daily. <https://www.aicpa.org/content/dam/aicpa/advocacy/tax/downloadabledocuments/coronavirus-state-filing-relief.pdf>



For New Yorkers, the AICPA website is reporting that NYS has extended the due date for income tax returns and payments due April 15, 2020 to July 15, 2020. For New York State Sales Tax returns and payments that were due on March 20, 2020, penalties and interest for late filing and payment will be abated provided the return is filed and payment is made within 60 days of the due date.

It is important to remember that tax returns can still be filed during the crisis so those expecting refunds should file their returns as soon as they are able.

**If you have any questions, please contact**  
**David N. Milner, Esq.**  
**(516) 663-6654**  
**[dmilner@rmfpc.com](mailto:dmilner@rmfpc.com)**