

# TRUST EIN

## Training Tips

We are receiving many questions regarding the application for a Trust Tax ID Number and the subsequent communications from the IRS and EFTPS, we wanted to provide some clarification and guidance.

- The IRS requires that retirement plans have a separate EIN even if there are no tax filings necessary due to the investment platform they are on **OR** due to the fact that there is no activity. At a minimum, the Trust EIN is used on Form 5500 filing.
- Any taxes owed for a 401(k) Plan would be the taxes withheld from distributions processed out of the Plan. A 945 filing is needed if there are any non-rollover distributions processed in a given year. If there are no withholdings from distributions then there is no Form 945 required.
  - The usage of the EFTPS is not needed if your plan is on an investment platform such as American Funds, Empower, John Hancock, Lincoln, MassMutual, Nationwide, Transamerica or Voya. (If your investment platform is not specifically listed, feel free to inquire.) These investment platforms remit ALL taxes withheld from distributions and process any needed 1099-R's and the 945 tax filings on behalf of your plan.
  - If your Plan has brokerage accounts or some type of outside assets (annuities, etc.), you **MUST** use the Trust EIN number when completing any/all distributions. You **MUST** complete the EFTPS set up process in order to remit tax withholdings. The Forms 1099-R and 945 **MUST** be completed using the Trust EIN.
  - All assets, brokerage accounts, annuities, etc. should now be registered in the name of the plan using the new Trust EIN. No other EIN (old plan EIN or Corporate EIN) should be on the registration of these types of plan assets. Please confirm with your financial advisor to ensure they have the correct EIN on all Plan assets.
- Any past year's reporting, filings and withholdings were properly completed using the Corporate EIN or the investment platform provider's EIN.
- If you have received a Form SS-4 letter stating that you must file a Form 945 or stating that you have not filed tax returns, our recommendation is to respond to their letter with a statement that **NO FILINGS ARE REQUIRED**. Please include the stub with the SS-4 with any correspondence. This should prevent further notices. Please note: The requirements of filing a 1099-R or a 945 are that they must be filed only if applicable in that tax year. If they do not apply for certain years, there is no requirement to file a "Zero Return". Thus, there is no filing **REQUIRED**. The IRS' systems are not set to recognize this; therefore the Form SS-4 letter is automatically generated.
- The EFTPS letter is a standard mailing that the IRS is sending for all EIN applications. Their system cannot distinguish between a new EIN that will have taxes to remit and one that will not, so they send the notification for **EVERY** newly assigned EIN.