

**2007
FORM IT-210**

UNDERPAYMENT OF ESTIMATED TAX BY INDIVIDUALS

ENCLOSE THIS FORM WITH YOUR PERSONAL INCOME TAX RETURN

Print in Black or Blue Ink Only



Do not send a photocopy of this form. The original form is printed in orange and black ink. Do not write on, staple or punch holes in barcode.

PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

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PART I: All filers must complete this part

1. Enter your 2007 tax as shown on line 8 of Form IT-140.....	1		00
2. Enter the credits against your tax from your return	2		00
3. Tax after credits (subtract line 2 from line 1)	3		00
4. Tax withheld	4		00
5. Subtract line 4 from line 3	5		00

IF LINE 5 IS LESS THAN \$600, DO NOT COMPLETE THIS FORM! YOU ARE NOT SUBJECT TO THE PENALTY

6. Multiply line 3 by ninety percent (.90)	6		00
7. Enter the tax after credits from your 2006 return (see instructions).....	7		00
8. Enter the smaller of line 6 or line 7 (If line 7 is zero and line 3 is more than \$5,000, enter the amount shown on line 6)	8		00

REFER TO THE INSTRUCTIONS TO DETERMINE YOUR OPTIONS FOR CALCULATING THE AMOUNT OF UNDERPAYMENT PENALTY

DETERMINE YOUR PENALTY BY COMPLETING PART II, PART III OR PART IV.

- 9. If you are requesting a waiver of the penalty calculated, check here and attach your written request. (see form on page 20)
- 10. If you are a qualified farmer, check here
- 11. If you used Part IV on the reverse to apply the tax withheld to the period when the corresponding income was actually received rather than in equal amounts on the payment due dates, check here.

PART II: If you are using the ANNUALIZED INCOME WORKSHEET to compute your underpayment and penalty, complete the worksheet below.

ANNUALIZED INCOME WORKSHEET

	1/1/07 - 3/31/07	1/1/07 - 5/31/07	1/1/07 - 8/31/07	1/1/07 - 12/31/07
1. Federal adjusted gross income year-to-date	00	00	00	00
2. Annualization amounts	4	2.4	1.5	1
3. Annualized income (line 1 X line 2)	00	00	00	00
4. Modifications to income (see instructions)	00	00	00	00
5. West Virginia adjusted gross income (combine lines 3 and 4)	00	00	00	00
6. Exemption allowance	00	00	00	00
7. West Virginia taxable income	00	00	00	00
8. Annualized tax	00	00	00	00
9. Credits against tax	00	00	00	00
DO NOT INCLUDE TAX WITHHELD OR ESTIMATED PAYMENTS!				
10. Subtract line 9 from line 8 (if less than zero, enter zero)	00	00	00	00
11. Applicable percentage.....	22.5%	45%	67.5%	90%
12. Multiply line 10 X line 11	00	00	00	00
13. Add the amounts in all previous columns of line 12	00	00	00	00
14. Subtract line 13 from line 12 (if less than zero, enter zero)	00	00	00	00
15. Enter 1/4 of line 8, Part 1, of Form IT-210 in each column	00	00	00	00
16. Enter the amount from line 18 of the previous column of this worksheet		00	00	00
17. Add lines 15 and 16 and enter the total	00	00	00	00
18. Subtract line 14 from line 17 (if less than zero, enter zero)	00	00	00	
19. Enter the smaller of line 14 or line 17 here and on Form IT-210, Part IV, line 1	00	00	00	00

NOTE: The sum of all columns for line 19 should equal line 8, Part I, of IT-210.



P 4 0 2 0 0 7 0 6 A

PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

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PART III SHORT METHOD

Read the instructions on page 25 to see if you can use the short method.
If you checked BOX 11 of PART I or annualized in PART II skip this part and go to PART IV.

1. Enter the amount from line 8 of Part I of IT-210	1		00
2. Enter the amount from line 4, Part I	2		00
3. Enter the total, if any, of the estimated payments made	3		00
4. Add lines 2 and 3	4		00
5. Total underpayment for the year (subtract line 4 from line 1). If zero or less, stop here. No penalty due.	5		00
6. Multiply line 5 by .06318	6		00
7. If the amount on line 5 was paid on or after April 15, 2008, enter zero. If paid prior to April 15, 2008 line 5 x Number of days paid before April 15, 2008 X .000260	7		00
8. Penalty due (subtract line 7 from line 6). Enter here and on the PENALTY DUE line of your personal income tax return.....	8		00

PART IV REGULAR METHOD

SECTION A — FIGURE YOUR UNDERPAYMENT

- If you are using the annualized method, enter the amounts from line 19 of the Annualized Income Worksheet; otherwise, enter 1/4 of line 8 of PART I in each column.....
- Estimated tax paid and tax withheld (see instructions). For column (a) only, enter the amount from line 2 on line 6. If line 2 is equal to or more than line 1 for all payment periods, stop here; you do not owe any penalty.....
- NOTE: Complete lines 3 through 9 of each column before going to the next column.
- Enter the amount, if any, from line 9 of the previous column.....
- Add lines 2 and 3.....
- Add lines 7 and 8 of the previous column.....
- Subtract line 5 from line 4. If zero or less, enter zero. For column (a) only, enter the amount from line 2.....
- If line 6 is zero, subtract line 4 from line 5. Otherwise, enter zero.....
- UNDERPAYMENT. If line 1 is equal to or more than line 6, subtract line 6 from line 1, enter the result here and go to line 3 of the next column. Otherwise, go to line 9.....
- OVERPAYMENT. If line 6 is more than line 1, subtract line 1 from line 6, enter the result here and go to line 3 of the next column.....

	(a) 4/17/07	(b) 6/15/07	(c) 9/17/07	(d) 1/15/08
1	00	00	00	00
2	00	00	00	00
3		00	00	00
4		00	00	00
5		00	00	00
6	00	00	00	00
7	00	00	00	00
8	00	00	00	00
9	00	00	00	00

SECTION B — FIGURE THE PENALTY (Complete lines 10 and 12 for each column before going to the next column)

April 17, 2007 - April 15, 2008

- Number of days FROM the date shown at the top of the column TO the date the amount on line 8 was paid. or 4/15/2008, whichever is earlier.....
- Daily penalty rate for each quarter.....
- Penalty due for each quarter (line 8 x 10 x 11)
- Penalty due (add all the amounts on line 12). Enter here and on the PENALTY DUE line of your personal income tax return (line 19).....

	(a) 4/17/07	(b) 6/15/07	(c) 9/17/07	(d) 1/15/08
10				
11	0.000260	0.000260	0.000260	0.000260
12	00	00	00	00
13				00

UNDERPAYMENT OF ESTIMATED TAX BY INDIVIDUALS ANNUALIZED INCOME WORKSHEET - INSTRUCTIONS

Line 1 - Total income. Figure your total income through the period indicated at the top of each column, including any adjustments to income includible in your federal adjusted gross income.

Line 3 - Annualized income. Multiply the amount on line 1 by the annualization factors on line 2.

Line 4 - West Virginia modifications to income. Enter any modifications to federal adjusted gross income which would be allowed on your 2007 West Virginia personal income tax return. Be sure to show any negative figures.

Line 5 - West Virginia income. Combine lines 3 and 4; annualized income plus or minus modifications.

Line 6 - Exemption allowance. Multiply the number of exemptions you are allowed to claim by \$2,000; if you must claim zero exemptions, enter \$500 on this line.

Line 7 - Annualized taxable income. Subtract line 6 from line 5.

Line 8 - Tax. Compute the tax on the taxable income shown on line 7. **If you are not subject to Federal Minimum Tax**, use the tax tables or rate schedules to calculate your tax. **If you are subject to Federal Minimum Tax**, multiply the Federal Minimum Tax by .25, and compare that figure with the tax from the tax tables or rate schedules; the larger of the two figures is your tax. **If you are filing as a nonresident/part-year resident**, multiply the tax figure already calculated by the ratio of your West Virginia income to your federal income.

Line 9 - Credits against tax. Show any credits against your West Virginia tax liability except West Virginia income tax withheld and estimated tax payments.

Line 10 - Tax after credits. Subtract line 9 from line 8; if line 9 is larger than line 8, enter zero.

Complete lines 12 through 19 for each column before moving to the next column.

Line 12 - Required payments. Multiply the amount on line 10 by the factor on line 11.

Line 13 - Previous required installments. Add the amounts from line 19 of all previous columns and enter the sum.

Line 14 - Annualized installment. Subtract line 13 from line 12. If less than zero, enter zero.

Line 15 - Enter one-fourth of line 8 of Form IT-210 in each column.

Line 16 - Enter the amount from line 18 of the previous column of this worksheet.

Line 17 - Add lines 15 and 16 and enter the total.

Line 18 - Subtract line 14 from line 17. If less than zero, enter zero.

Line 19 - Required installment. Compare lines 14 and 17 and enter the smaller figure here and on line 1, PART IV of Form IT-210.

UNDERPAYMENT OF ESTIMATED TAX BY INDIVIDUALS - FORM IT-210 - LINE BY LINE INSTRUCTIONS

Who Must Pay the Underpayment Penalty

You may be charged a penalty if you did not have enough West Virginia state income tax withheld from your income or pay enough estimated tax by any of the due dates. This may be true even if you are due a refund when you file your return. The penalty is computed separately for each due date (quarter). You may owe a penalty for an earlier due date (quarter) even if you make large enough payments later to make up the underpayment.

You may owe the penalty if you did not pay at least the smaller of:

1. 90% of your 2007 tax liability; or
2. 100% of your 2006 tax liability (if you filed a 2006 return that covered a full 12 months).

Exceptions to the Penalty

You will not have to pay any penalty if either of these exceptions apply:

1. You had no tax liability for 2006 and you meet ALL the following conditions:
 - your 2006 tax return was (or would have been had you been required to file) for a taxable year of twelve months;
 - you were a citizen or resident of the United States throughout the preceding taxable year;
 - your tax liability for 2007 is less than \$5,000.
2. The total tax shown on your 2007 return minus the tax you paid through West Virginia withholding is less than \$600. To determine if you meet this exception, complete lines 1 through 5, PART I. If you meet this exception, you do not have to file Form IT-210.

If you file your tax return and pay any tax due on or before January 31, 2008, no fourth quarter penalty is due. Include the tax paid with your return in column (d) of line 2, PART IV; this will result in no penalty due for the January 15, 2008 installment.

Special Rules for Farmers

If at least two-thirds of your gross income for 2007 was from farming sources, the following special rules apply:

1. You are only required to make one payment for the taxable year (due January 15, 2008); and
2. The amount of estimated tax required to be paid (line 6) is sixty-six and two-thirds percent (66-2/3%) instead of ninety percent (90%);
3. If you fail to pay your estimated tax by January 15, but you file your return and pay the tax due on or before the first day of March, 2008, no penalty is due.

Mark box 10 in PART I and complete PART III or only column (d) of PART IV to figure your penalty. Be sure to use .02366 instead of .06318 when calculating line 6 of PART III. When using PART IV, carry the entire figure shown on line 8 of PART I to column (d), line 1.

Waiver of Penalty

If you are subject to underpayment penalty, all or part of the penalty will be waived if the West Virginia State Tax Department determines that:

1. The penalty was caused by reason of casualty or disaster;
2. The penalty was caused by unusual circumstances which makes imposing the penalty unfair or inequitable.

To request a waiver of the penalty, check the box for line 9 in PART I and enclose a signed statement explaining the reasons you believe the penalty should be waived (see page 20 of the return). If you have documentation substantiating your statement, enclose a copy. The Department will notify you if your request for waiver is not approved.

PART I - FOR ALL FILERS

Line 1 - Enter the amount from line 8 of Form IT-140.

Line 2 - Enter the amount shown on line 9 plus line 15 of Form IT-140.

Line 3 - Subtract line 2 from line 1 and enter the result.

Line 4 - Enter the amount of withholding tax shown on line 13 of Form IT-140.

Line 5 - Subtract line 4 from line 3 and enter the result. **IF LINE 5 IS LESS THAN \$600, YOU ARE NOT SUBJECT TO THE PENALTY AND NEED NOT FILE FORM IT-210.**

Line 6 - Multiply line 3 by ninety percent (90%) and enter the result.

Line 7 - Enter your tax after credits from your 2006 West Virginia return. If you filed Form IT-140 in 2006, your tax after credits will be line 8 reduced by the sum of lines 11, 12 and 13; if you filed Form IT-140NR/PY, your tax after credits will be line 11 reduced by the sum of lines 14, 15 and 16.

Line 8 - Compare the amounts shown on lines 6 and 7. If line 7 is zero and line 3 is more than \$5,000, enter the amount shown on line 6. Otherwise, enter the smaller of line 6 or line 7.

PART III - SHORT METHOD

You may use the short method to figure your penalty only if:

1. You made no estimated tax payments (or your only payments were West Virginia income tax withheld); or
2. You paid estimated tax and the payments were made in four equal installments on the due dates.

NOTE: If any of your payments were made earlier than the due date, you may use the short method to calculate your penalty; however, using the short method may cause you to pay a higher penalty (if the payments were only a few days early, the difference is likely to be very small).

You may not use the short method if:

1. You made any estimated tax payments late; or
2. You checked the box on line 11 in PART I, or used PART II (annualized income worksheet).

If you can use the short method, complete lines 1 through 5 to compute your total underpayment for the year and lines 6 through 8 to compute your penalty due. If you checked the box for line 10 in PART I because you are a farmer, the figure to use on line 6 is .02366 instead of .06318.

In certain instances, the penalty due may be waived. See Waiver of Penalty for more details.

PART IV - REGULAR METHOD

Use the regular method to compute your penalty if you are not eligible to use the short method.

Section A - Compute Your Underpayment

Line 1 - Enter in columns (a) through (d) the amount of your required installment for the due date shown in each column heading. For most taxpayers, this is the amount shown on line 8 of PART I divided by four. If you used PART II, enter the amounts from line 19 of the Annualized Income Worksheet in the appropriate columns.

UNDERPAYMENT OF ESTIMATED TAX BY INDIVIDUALS - FORM IT-210

LINE BY LINE INSTRUCTIONS -CONTINUED

Line 2 - Enter the estimated tax payments you made plus any West Virginia income tax withheld from your income. In column (a), enter the tax payments you made by April 17, 2007, for the 2007 tax year; in column (b), enter payments you made after April 17, and on or before June 15, 2007; in column (c), enter payments you made after June 15, and on or before September 17, 2007; and in column (d), enter payments you made after September 17, and on or before January 15, 2008.

When calculating your payment dates and the amounts to enter on line 2 of each column, apply the following rules:

1. For West Virginia income tax withheld, you are considered to have paid one-fourth of these amounts on each payment due date, unless you check the box on line 11 in Part 1 and show otherwise.
2. Include in your estimated tax payments any overpayment from your 2006 West Virginia tax return that you elected to apply to your 2007 estimated tax. If you filed your return by the due date (including extensions), treat the overpayment as a payment made on April 17, 2007.
3. If you file your return and pay the tax due on or before January 31, 2008, include the tax you pay with your return in column (d) of line 2. In this case, you will not owe a penalty for the payment due January 15, 2008.

Line 3 - Enter any overpayment from the previous column on line 3.

Line 4 - Add lines 2 and 3 in each column and enter the result on line 4.

Line 5 - Add lines 7 and 8 from the previous column and enter the result in each column.

Line 6 - Subtract line 5 from line 4 in each column and enter the result on line 6. If line 6 is equal to or more than line 4 in any column, enter zero on line 6 in that column.

Line 7 - Subtract line 4 from line 5 for any column where line 5 is more than line 4; otherwise, enter zero.

Line 8 - Subtract line 6 from line 1 for any column where line 1 is more than line 6; otherwise, enter zero. If line 8 is zero for all payment periods, you do not owe a penalty. However, if you checked any box in PART I, you must file Form IT-210 with your return.

Line 9 - Subtract line 1 from line 6 for any column for which line 6 is more than line 1; otherwise, enter zero. Be sure to enter the amount from line 9 on line 3 of the next column.

Section B - Compute Your Penalty

Caution: Read the following instructions before completing Section B.

Compute the penalty by applying the appropriate rate against each underpayment on line 8. The penalty is computed for the number of days that the underpayment remains unpaid.

The rates are established twice during each calendar year, on January 1 and July 1. If an underpayment remains unpaid for more than one rate period, the penalty for that underpayment may be computed using more than one rate. The annual rate is nine and one-half percent (9.5%) from January 1, 2007 through June 30, 2008 and will require only one rate for all underpayments.

Use line 10 to compute the number of days the underpayment remains unpaid. Use line 12 to compute the actual penalty amount by applying the proper rate to the underpayment for the number of days it was unpaid.

Each payment must be applied to the oldest outstanding underpayment. It does not matter if you designate a payment for a later period. For example, if you have an underpayment for the April 17 installment period, the payment you make June 15 will first be applied to pay off the April 17 underpayment; any remaining portion of the payment will be applied to the June 15 installment.

Also, apply the following rules:

1. Show the West Virginia withholding tax attributable to each installment due date; do not list the withholding attributable on or after January 1, 2008.
2. Any balance due paid on or before April 15, 2008 with your personal income tax return is considered a payment and should be listed on line 2, column (d). For the payment date, use the date you file your return, or April 15, 2008, whichever is earlier.

Chart of Total Days Per Rate Period

Rate Period	Line 10
(a)	364
(b)	305
(c)	211
(d)	91

For example, if you have an underpayment on line 8, column (a), you would enter 364 in column (a) of line 10.

The following line-by-line instructions apply only to column (a) of Section B. If there is an underpayment shown in any other column on line 8, complete lines 10 and 12 in a similar fashion.

Line 10 - Enter in column (a) the total number of days from April 17, 2007 to the date of the first payment. If no payments enter 364.

Line 11 - The daily penalty rate is equal to the annual interest rate applied to tax underpayments divided by 365. **The annual interest rate for underpayments is nine and one-half percent (9.5%) through June 30, 2008, resulting in a daily rate of .000260.**

Line 12 - Make the computation requested and enter the result. Note that the computation calls for the "underpayment on line 8". The amount to use as the "underpayment" depends on whether or not a payment is listed.

If There Is A Payment - If the payment is more than the underpayment, apply only an amount equal to the underpayment and apply the remainder to the tax due for the next quarter. If the payment is less than your underpayment, the penalty for the remaining underpayment will require a separate computation. Use a separate sheet of paper to show any additional computations. **If There Are No Payments** - The "underpayment" is the entire amount shown on line 8.

The Following Conditions Determine If Additional Computations Are Needed For Column (a):

1. The first payment was enough to reduce the underpayment to zero. There are no further computations for column (a).
2. No payments. Only one computation is needed. The penalty for column (a) is line 8 multiplied by the number of days in the chart above multiplied by line 11.
3. The payment did not reduce the underpayment to zero. Compute the penalty on the remaining underpayment on a separate sheet of paper. If additional payments apply, reduce the underpayment for each installment and compute the penalty on the remainder of tax due until paid or April 15, 2008, whichever is earlier.

Enter the total penalty calculation on line 12 and proceed to the next column.

Columns (b) through (d)

To complete columns (b) through (d), use the same procedures as for column (a). However, apply only those payments in each column which have not been used in a previous column.

Line 13 - Add all figures from line 12. Enter the sum on line 13 and on the appropriate PENALTY DUE line of your personal income tax return.