



DELAWARE

Delaware Underpayment of Estimated Taxes

FORM PIT-UND

2022

Revised 12/15/22

Purpose of the Form

Use Form PIT-UND to compute your penalty for having underpaid your estimated taxes. If you choose to compute your penalty using this form and a penalty due is calculated OR if you use Part 3 – Annualized Installment Method:

- Check the “Form PIT-UND Attached” box on the front of your Delaware personal income tax return
- Attach your completed Form PIT-UND to your return.

Do not submit a Federal Form 2210 instead of a Delaware Form PIT-UND. Do not submit computer worksheets in lieu of the Form PIT-UND.

Use of Form

You may choose to use the Short Method (Part 2) of this form if you made equal estimated payments on or before the dates they were due or made no estimated tax payments. You may choose to use the Annualized Method (Part 3) of this form if your income was earned unevenly throughout the year. Resident filers using Filing Status 4 should combine (net) the amounts in both columns of their tax return and use those figures to complete one combined Form PIT-UND for both spouses.

If you elect to use the Annualized Method in Part 3 of this form, check the box that says “Taxpayer is Using the Annualization of Income Method” on page 1.

Who Must Pay the Underpayment Penalty:

In general, you will owe the penalty for 2023 if you did not pay at least the smaller of:

1. 90% of 2022 Delaware tax liability (Line 32 Form PIT-RES minus Line 33 Form PIT-RES, or Line 47 Form PIT-NON); or
2. 100% of the Tax Balance shown on Line 32 of your 2022 return (Line 47 on the Non-Resident Return, Form PIT-NON). Note: If you are not a farmer or fisherman and your Adjusted Gross Income (AGI) on your 2022 return is in excess of \$150,000 (\$75,000 if Married Filing Separate Returns, Filing Status 3), you must use 110% of the 2022 Tax Balance.

The penalty is figured separately for each installment due date. Therefore, you may owe the penalty for an earlier due date even if you paid enough tax to make up the underpayment (even if you are due a refund when you file your return).

Exceptions to the Penalty:

You will not have to pay the penalty if any of the following applies:

1. You had no Delaware tax liability in the previous year (Line 32 Form PIT-RES minus Line 33 Form PIT-RES, or Line 47 Form PIT-NON); or
2. For the current year, the Required Annual Payment is less than or equal to \$800 (See Part 1. The Required Annual Payment under Specific Instructions on how to determine this amount); or
3. You were a Part-Year resident during 2023; or
4. You derived at least 2/3 of your Gross Income from farming or fishing, and paid the total estimated tax due by January 17, 2023, or filed your return by March 1, 2023 AND paid the total tax due at that time. If this exception applies, check the “Taxpayer is a Farmer or Fisherman” box on Page 1 of the Form PIT-UND. When filing Form PIT-UND, select the Farmer/Fisherman check box only.

Waiver of the Penalty:

Once the penalty has been assessed you may request a waiver of the penalty by writing to: Tax Conferee, Delaware Division of Revenue, P. O. Box 8714 Wilmington, DE 19899-8714

Reasons for Requesting a Waiver Are:

1. The underpayment was due to a casualty, disaster, or other unusual circumstance (explain the circumstance); or
2. In 2022 or 2023 you retired after age 62 or became disabled.

If one of these reasons applies to you, DO NOT check Form PIT-UND indicator box and DO NOT submit the form. You will be given a chance to request a waiver after the penalty has been assessed.

SPECIFIC INSTRUCTIONS

Form PIT-UND is divided into five parts as follows:

1. The Required Annual Payment
2. The Short Method
3. Annualized Income Installment Method
4. Computation of the Over/Under Payment
5. Computation of the Penalty

Part 1 The Required Annual Payment

Use this part to figure the amount of your required annual payment.

- A. Enter 90% of 2022 Delaware tax liability (Line 32 Form PIT-RES minus Line 33 Form PIT-RES, or Line 47 Form PIT-NON).
- B. Enter 100% of the Balance on Line 32 minus Line 33 of your 2022 Delaware Form PIT-RES or Line 47 of Delaware Form PIT-NON (110% if your 2022 Delaware AGI is more than \$150,000 or \$75,000 if Married Filing Separate Returns, Filing Status 3).
- C. Enter the smaller of Line A or B. This is your required annual payment, which should have been made in four equal payments.
- D. Enter the total amount of Delaware tax withheld.
- E. Subtract Line D from Line C. Note: If this amount is \$800 or less, stop here. You do not owe the penalty.

Part 2 The Short Method

Once you have figured the required annual payment, you may use the Short Method ONLY if:

- a. You made no estimated payments; or
- b. You paid estimated tax in four equal amounts on or before the due dates (June 15th, July 15th, September 15th, and January 17th).

You may not use the Short Method if you made any of the payments late. You may not use the Short Method if any capital gain tax payments were made on your behalf.

Line by Line instructions

- F. Enter the amount of Estimated Tax Payments, S Corp Payments or Refundable Business Credit.
- G. Enter the total amount of Delaware tax withheld.
- H. Add lines F and G.
- I. Total Underpayment for the year (Subtract Line H from Line C). If zero or less stop here. You do not owe the penalty.
- J. Multiply Line I by 0.12.
- K. If the amount on Line I was paid on or after April 30, 2023 enter zero (0). If it was paid before April 30, 2023, multiply the number of days from the date Line I was paid before April 30, 2023 times 0.0005 times the amount on Line I. Enter the results on Line K.

Subtract Line K from Line J. This is your penalty for underpayment of estimated taxes. Add this amount to the other penalties and interest due on Line 44 of the Form PIT-RES return or Line 58 of the Form PIT-NON.

Part 3 The Annualized Installment Method

This method should be used if you do not qualify to use the Short Method (e.g., unequal or late estimated payments) or by individuals whose income is earned in an uneven fashion throughout the year. Examples would be receiving large capital gains or bonuses late in the year.

To use this form, enter the income and deductions applicable to each period as follows:

- a. Column 1 enter the income/deductions for the period 01/01/2023 through 03/31/2023.
- b. Column 2 enter the income/deductions for the period 01/01/2023 through 05/31/2023.
- c. Column 3 enter the income/deductions for the period 01/01/2023 through 08/31/2023.
- d. Column 4 enter the income/deductions for the period 01/01/2023 through 12/31/2023.

Line by Line Instructions:

(Line numbers in parenthesis refer to the Form PIT-NON).

1. Non-Resident indicator. If you are a Non-Resident or Part year Resident using the Non-Resident tax form, put an "X" in this box.
 2. Enter your Delaware AGI from Line 12 Form PIT-RES (Line 37 Form PIT-NON) of your 2023 Delaware return for the period indicated. Example: In the third column enter your AGI for the period January 1, 2023 through August 31, 2023.
 3. This line has been pre-filled.
 4. Multiply Line 2 by Line 3 for each column (this is your annualized income for each period).
 5. Enter your Delaware itemized deductions for each period. If you did not itemize your deductions, enter zero (0) and skip to Line 8.
 6. This Line has been pre-filled.
 7. Multiply Line 5 by Line 6 for each column.
 8. Enter the full annual Delaware standard deduction and additional standard deduction (if applicable) amounts (e.g. \$3,250 for one standard deduction).
- Note: The same amount should be entered in each column.**
9. Delaware Deductions. If you itemized deductions, enter the amounts from Line 7 in each column. If you used the Delaware standard deduction, enter the amount from Line 8 in each column.
 10. Delaware Taxable Income. Subtract Line 9 from Line 4.
 11. Tax Liability. Using the tax table or tax schedule, figure the tax on the amount on Line 10 for each column.
 12. Residents Only Tax on Lump Sum. See the instructions for tax on lump sum distributions (Line 24) in the PIT-RES Instruction Booklet.
 13. This is your total tax. Add Lines 11 and 12.
 14. Non-Residents only. Multiply Line 13 by the Proration Percentage from the center of Line 42 of your tax return.
 15. Enter the total personal credit amount. Include any personal credits for being 60 or over (if applicable).
 16. Non-Residents only. Multiply Line 15 by the proration percentage from the center of Line 42 of your tax return.
 17. Other non-refundable credits. Add Lines 27, 28, 29, 30, & 33 of Form PIT-RES (or Lines 44 & 45 of Form PIT-NON) tax return and enter here.
 18. Residents add Line 15 and Line 17 and subtract the total from Line 13. Non-residents and part year residents add Line 16 to Line 17 and subtract the total from Line 14.
 19. Multiplier. This number has been pre-filled.
 20. Multiply Line 18 by the amount on Line 19 for each column.
 21. Leave the first column blank. Enter the sum of all previous Lines 27 for the remaining columns (in column 3 you are adding Line 27, Column 1 plus Line 27, Column 2).

22. Subtract Line 21 from Line 20. If 0 or less, enter 0.
23. Enter 1/4th of your Required Annual Payment from Part 1, Line C.
24. Blank for the first column. For all other columns enter the amount from Line 26 of the previous column.
25. Add Line 23 and Line 24.
26. Subtract Line 22 from Line 25. If zero or less, enter zero (0).
27. Enter the Smaller of Line 22 or 25 here and on Line 28.



NOTE: From this point on, complete Lines 21 through Line 27 down each column before going to the next column.

Part 4 Computing the over/under payment

In this section you will compute the amount of your over/under payment for each period.

28. Enter the amount from Part 3, Line 27.
 29. Enter the amount of Estimated, S Corp, Capital Gain Tax payments, or Refundable Business Credits made on your behalf FOR EACH PERIOD ONLY by the Payment Due Date. Apply S Corp payment and Refundable Business Credits evenly to each quarter by dividing by four (4) rounded to the nearest dollar. Adjust the amount applied to the fourth quarter so that the sum of all four quarters is the correct amount. In Column 1, enter the payments for the period January 1st through April 30th. In the second column enter the payments made for the period May 1st through June 15th. In the third column enter the payments made for the period June 16th through September 15th. In the fourth column enter the payments made for the period September 16th through January 15, 2023. For example, a payment made in August meant for the 2nd quarter, should be placed in the 3rd quarter box. Payments made after January 15, 2023 are excluded from this line.
 30. FOR EACH PERIOD ONLY. Enter the amount of Delaware withholding. In Column 1, enter the withholding for the period January 1st through March 31st. In the second column enter the withholding for the period April 1st through May 31st. In the third column enter the withholding for the period June 1st through August 31st. In the fourth column enter the withholding for the period September 1st through December 31st.
 31. Add Lines 29 and 30.
 32. Blank for Column 1. Enter previous Line 38 amount for all other columns (i.e. Column 2 equals Line 38 Column 1, Column 3 equals Line 38 Column 2, etc.).
 33. Leave Column 1 blank. For all other columns, add Line 31 and Line 32.
 34. Leave Column 1 blank. For all other columns, add amounts from Line 36 and 37 of the previous Column (i.e. Column 2 equals Line 36 Column 1 plus Line 37 Column 1, etc.).
 35. For Column 1, only enter the amount from Line 31. For other columns, subtract Line 34 from Line 33. If zero (0) or less, enter zero (0).
 36. Leave Columns 1 and 4 blank. For all other columns, if Line 35=0, then subtract Line 33 from Line 34. Otherwise, enter zero (0).
 37. Underpayment. If Line 28 is equal to or larger than Line 35, subtract Line 35 from Line 28 and go to Line 32 of the next column. Otherwise, go to Line 38.
 38. Overpayment. If Line 35 is larger than Line 28, subtract Line 28 from Line 35. Then go to Line 32 of the next column.
- NOTE:** Complete Lines 32 through Line 38 down each column before going to the next column.
- ### Part 5 Computing the penalty
- Figure the penalty by applying the appropriate rate against each underpayment shown on Line 37 for as long as an underpayment remains. Adjust this amount as payments were made.
39. This lists the dates the payments on Line 37 are due.

40. Compute the number of days between the due date on Line 39 and the date the amount on Line 37 is paid or April 30, 2023 whichever is earlier.

41. Multiply Line 40 by 0.0005. Carry out the computation to four decimal places, rounding off to the fourth position.

42. Multiply Line 41 by Line 37. This is the penalty for the period. Repeat the computation for each column.

43. Add the columns together to determine the total penalty. This is your penalty for underpayment of estimated taxes. Add this amount to the other penalties and interest due on Line 44 of the Form PIT-RES return or Line 58 of the Form PIT-NON.

NOTE: If the amount due is not paid with one payment, the penalty for the period should be figured on a separate sheet and the total entered on this Line. For example, if Line 37 column 1 shows an underpayment of \$300, and \$200 was paid on June 1st, and \$200 was paid on September 15th, the penalty would be figured for 48 days on \$300, and 93 days on \$100. The remaining \$100 of the payment made in September is available to be applied to a June 16th underpayment, if necessary.

Please remember to check the Form PIT-UND Attached box section and submit a copy of this form with your return. Checking the box without submitting a form will unnecessarily delay the processing of your return.