



West Virginia State Tax Department

Letter of Intent

Tax Year 2018

Due October 31, 2018

West Virginia Letter of Intent (MeF/Forms)

Tax Year 2018

Deadline for Letter of Intent is October 31, 2018.

Submit Completed LOI to TaxLOI@WV.Gov

2018 Tax Software Provider West Virginia State Tax Department Letter of Intent	1
Type of Software Product	2
Tax Types Supported.....	2
Rebranded Software Products	2
Substitute Forms Registration	3
Forms and Schedules Supported	4
Communication and Expectations	5
Documents and Materials.....	5
Refund Expectations	5
Typical refund timeframes for correctly filed returns	5
State Driver’s License/ID Card Expectations.....	6
Questions, Requirements, Standards and Recommendations	7
Standards and Requirements for Confirmation of Specific Data Elements.....	8
Specific Questions.....	9
Data Breach Reporting.....	9
Signature	10

ISSUED: SEPTEMBER 21, 2018

2018 Tax Software Provider West Virginia State Tax Department

Letter of Intent

This Letter of Intent (LOI) sets forth the specific questions, requirements, and standards for tax software providers for the West Virginia State Tax Department. By submitting this registration form to the department, you are agreeing to meet our standards for software provider registration, tax preparation software (DIY or professional), and substitute forms.

This LOI also incorporates all the terms, requirements, and standards set forth in the Tax Software Provider National Standards Letter of Intent maintained by the Federation of Tax Administrators. Agreement and adherence to the national standards are required as a prerequisite to approval.

Failure to meet any of the standards or requirements set forth in the national letter of intent or in this specific LOI may result in the denial of your application or the removal of your organization as an approved software provider, and the rejection of all electronic or paper returns submitted using your products.

Please complete a registration form for each unique product your company offers.

This form must be completed and submitted to TaxLOI@wv.gov no later than October 31, 2018

Name of Company	Product Name	State Software ID
DBA Name	NACTP Member Number	State Account Number (if applicable)
Address	Product Address/URL	Company FEIN
City	State	Zip Code
Regulatory/Compliance Contact		
Regulatory/Compliance Contact	Phone	Email Address
Primary Individual MeF Contact	Phone	Email Address
Secondary Individual MeF Contact	Phone	Email Address
Primary Business MeF Contact	Phone	Email Address
Secondary Business MeF Contact	Phone	Email Address
Primary Leads Reporting Contact	Phone	Email Address
Secondary Leads Reporting Contact	Phone	Email Address
Test EFIN(s)		
Test EFIN(s)	Test ETIN(s)	
Production EFIN(s)		
Production EFIN(s)	Production ETIN(s)	

Type of Software Product

(Mark only ONE. A separate LOI is required for each software product type)

- DIY/Consumer (Web-Based)
- DIY/Consumer (Desktop)

- Professional/Paid Preparer (Web-Based)
- Professional/Paid Preparer (Desktop)

Tax Types Supported

(Check all that apply)

- | | | |
|--------------------------|--------------------------|----------------------------|
| Forms | E-File | |
| <input type="checkbox"/> | <input type="checkbox"/> | Individual Income Tax |
| <input type="checkbox"/> | <input type="checkbox"/> | Property Tax |
| <input type="checkbox"/> | <input type="checkbox"/> | Estate/Trust/Fiduciary Tax |
| <input type="checkbox"/> | <input type="checkbox"/> | Partnership Tax |

- | | | |
|--------------------------|--------------------------|---------------------------------|
| Forms | E-File | |
| <input type="checkbox"/> | <input type="checkbox"/> | Corporate/Franchise Tax |
| <input type="checkbox"/> | <input type="checkbox"/> | S-Corporation Return |
| <input type="checkbox"/> | <input type="checkbox"/> | Insurance Premium Tax |
| <input type="checkbox"/> | <input type="checkbox"/> | Pass-Through Partnership/S-Corp |

Rebranded Software Products

Software Companies: Use this section only if this product is rebranded with the approval of the Software Publisher, who is the original creator of the software and signer of the LOI. It is the position of the STAR Working Group under the auspices of the IRS Security Summit that:

- *Rebranding where the software publisher makes all code changes to generate the rebranded software and ensures that the rebranded software meets the applicable requirements (Trusted Customer, Generation of Authentication Elements, Generation of LEADS reports, STAR Requirements, etc.) does not pose any additional risk to the tax ecosystem.*
- *Rebranding where the organization who rebrands the software has the capability to make cosmetic changes including but not limited to color or font but cannot make changes to the applicable requirements (listed above) does not pose additional risk to the ecosystem.*

Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name	Contact Person	Phone	Email Address	Unique Identifier **
Rebranded Product Name*	Contact Person	Phone	Email Address	Unique Identifier **

*If there are more than 5 software products that have rebranded under a different name, please list them on a separate sheet and attach with your LOI submission.

** If available.

For Rebranded Products, the state has the following requirements for paper forms and/or e-file ATS approval

For Rebranded Products, the West Virginia State Tax Department will evaluate on a case-by-case basis as to the extent of testing required with the e-File ATS / paper form approval process for these products.

Substitute Forms Registration

Use this section only if the LOI will be used for both forms and e-file registration		
State Substitute Form Vendor Number		
Primary Individual Forms Contact	Phone	Email Address
Secondary Individual Forms Contact	Phone	Email Address
Primary Business Forms Contact	Phone	Email Address
Secondary Business Forms Contact	Phone	Email Address
*If you have separate contacts for Business Tax Types, please list them separately on a separate sheet and attach with your LOI submission.		

Forms and Schedules Supported

(check all that apply)

Mark all forms and schedules that your company intends to support. Only forms with barcodes are required for substitute tax form testing. If a checkbox is not shown beside a form or a schedule, then it is either not required to be submitted for substitute forms approval or it is not available for e-file

Personal Income Tax			Estate/Trust/Fiduciary Tax			Corporate Net Income Tax			Pass-Through Partnership/S-Corp		
Forms	E-file		Forms	E-file		Forms	E-file		Forms	E-file	
<input type="checkbox"/>	<input type="checkbox"/>	Form IT-140	<input type="checkbox"/>	<input type="checkbox"/>	Form IT-141	<input type="checkbox"/>	<input type="checkbox"/>	CNF-120	<input type="checkbox"/>	<input type="checkbox"/>	SPF-100
<input type="checkbox"/>	<input type="checkbox"/>	Schedule M	<input type="checkbox"/>	<input type="checkbox"/>	Schedule A	<input type="checkbox"/>	<input type="checkbox"/>	Schedule 1	<input type="checkbox"/>	<input type="checkbox"/>	Schedule A
<input type="checkbox"/>	<input type="checkbox"/>	Tax Credit Recap Schedule	<input type="checkbox"/>	<input type="checkbox"/>	Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	Schedule 2	<input type="checkbox"/>	<input type="checkbox"/>	Schedule B
<input type="checkbox"/>	<input type="checkbox"/>	Schedule UT	<input type="checkbox"/>	<input type="checkbox"/>	Schedule NR	<input type="checkbox"/>	<input type="checkbox"/>	Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	Schedule C
<input type="checkbox"/>	<input type="checkbox"/>	Schedule A	<input type="checkbox"/>	<input type="checkbox"/>	Tax Credit Recap	<input type="checkbox"/>	<input type="checkbox"/>	Schedule B-1	<input type="checkbox"/>	<input type="checkbox"/>	SPF-100TC
	<input type="checkbox"/>	Schedule H	<input type="checkbox"/>		Schedule IT-141V	<input type="checkbox"/>	<input type="checkbox"/>	Schedule C	<input type="checkbox"/>	<input type="checkbox"/>	SPF-100APT Schedule A-1 and A-2
	<input type="checkbox"/>	Schedule E	<input type="checkbox"/>		IT-141EXT	<input type="checkbox"/>	<input type="checkbox"/>	Schedule NOL	<input type="checkbox"/>	<input type="checkbox"/>	SPF-100APT Schedule B
<input type="checkbox"/>	<input type="checkbox"/>	Schedule DP	<input type="checkbox"/>		Withholding Documents (K-1, NRW-2)	<input type="checkbox"/>	<input type="checkbox"/>	CNF-120APT Schedule A-1 and A-2	<input type="checkbox"/>	<input type="checkbox"/>	Schedule SP
<input type="checkbox"/>	<input type="checkbox"/>	Schedule FTC-1				<input type="checkbox"/>	<input type="checkbox"/>	CNF-120APT Schedule B	<input type="checkbox"/>		SPF-100EXT
<input type="checkbox"/>	<input type="checkbox"/>	IT-210				<input type="checkbox"/>	<input type="checkbox"/>	CNF-120TC	<input type="checkbox"/>		WV100V
<input type="checkbox"/>	<input type="checkbox"/>	HEPTC-1				<input type="checkbox"/>	<input type="checkbox"/>	CNF-120U	<input type="checkbox"/>	<input type="checkbox"/>	K-1
<input type="checkbox"/>	<input type="checkbox"/>	SCTC-1				<input type="checkbox"/>		CNF-120EXT	<input type="checkbox"/>		Withholding Documents (1099, K-1, NRW-2)
<input type="checkbox"/>		IT-140V				<input type="checkbox"/>	<input type="checkbox"/>	Schedule UB			
<input type="checkbox"/>		Schedule L				<input type="checkbox"/>	<input type="checkbox"/>	K-1C	Nonresident Composite		
<input type="checkbox"/>	<input type="checkbox"/>	Schedule F					<input type="checkbox"/>	Withholding Documents (1099, K-1, NRW-2)	<input type="checkbox"/>		IT-140NRC
	<input type="checkbox"/>	Amend Reason									
	<input type="checkbox"/>	Withholding Documents (W-2, 1099, K-1, NRW-2)									

If your company intends to support additional forms for substitute forms development, please list them in the space provided.

Communication and Expectations

Documents and Materials

- West Virginia State Tax Department e-file and paper form documentation will be posted/provided on the FTA State Exchange System (SES). Only forms that have changes will be posted on the FTA SES.
- Forms with no changes that software developers may desire to recreate may be found on the West Virginia State Tax Department website at www.tax.wv.gov.

Refund Expectations

To assist Taxpayers and Tax Professionals filing returns, the West Virginia State Tax Department is providing the information below regarding expectations for refunds. Industry partners will use this information to communicate and help set the appropriate expectations with external stakeholders.

The West Virginia State Tax Department is responding to an increased risk of fraudulent filings and is implementing enhanced security measures for your protection. As a result, expect significant delay of your tax refund. You should only call concerning your refund if it has been more than **10 weeks** since filing your return. In the interim, please use this tool to check the status of your refund.

- After March 31, 2018, taxpayers may check refund status by going to <https://mytaxes.wvtax.gov/?link=refund>.

Typical refund timeframes for correctly filed returns

- **An E-filed Return** may take as long as 7-8 weeks after the acknowledgement is received from the state.
- **A Paper Filed Return** may take as long as 10-11 weeks after the return is received by the West Virginia State Tax Department.

Refund Exceptions

- **First-time filers** should allow about 3 additional weeks to the timelines above.
- **Requests for more information** will delay refunds until the requested information is received. Allow approximately 6 weeks from the receipt of the requested information to review and complete the processing of the return.
- Refund timeframes are general and do not apply to every refund. It is best not to depend on getting a refund by a certain date, especially when making purchases or paying bills.
- Some refunds may ultimately be reduced or result in a balance of tax due depending on the supporting information supplied or on record with the West Virginia State Tax Department.
- **Many refunds will be paid in a shorter time frame, but it is not abnormal to wait a significant time period if for any reason the return requires additional review.**

State Driver's License/ID Card Expectations

To help Taxpayers, Tax Professionals, and Industry partners understand the jurisdiction requirements for State Driver's Licenses ("DL") or ID Cards, the West Virginia State Tax Department is specifying the following expectations:

For e-file returns, one of the following four options is required for the primary filer's Driver's License number:

- The DL Information for the Primary taxpayer with the tax return: Information must include DL Number, DL State, DL Issue Date and DL Expiration Date to be considered complete. Partial entries will result in a schema validation error.
- The ID Card Information for the Primary taxpayer with the tax return: Information must include ID Card Number, ID Card State, ID Card Issue Date, and ID Card Expiration Date to be considered complete. Partial entries will result in a schema validation error.
- Indicate that the Primary taxpayer does not have the DL/ID Card Information to provide with the tax return.
- Indicate that the Primary taxpayer chooses NOT to provide the DL/ID Card Information with the tax return.

Failure to obtain one of the four required elements indicated above will result in a schema validation error.

Secondary taxpayer DL/ID Card Information is optional. However, if provided, information must be complete or else schema validation errors will occur.

For printed/paper forms requesting the DL/ID Card Information:

The West Virginia State Tax Department does not require DL/ID Card Information with printed/paper forms.

Questions, Requirements, Standards and Recommendations

This section represents the state-specific requirements and standards for tax software providers. This Letter of Intent must be submitted by October 31, 2018. The cutoff date for first-time ATS testing submissions is March 15, 2019.

By signing this agreement, the E-Services Provider agrees to:

- Meet IRS requirements and obtain IRS approval as a tax service provider. See IRS Publication 4164, “Modernized e-File Guide for Software Developers and Transmitters.”
- Comply with IRS Standards and requirements, the West Virginia MeF Handbook, West Virginia Requirements for the Approval of Substitute Tax Forms, industry standards, and any Memorandum of Understanding (MoU) executed by the IRS, industry and states.
- Successfully complete all testing of service provider’s software in accordance with Department requirements.
- Provide accurate West Virginia tax returns in the proper electronic format.
- Secure and protect taxpayer information, returns, and data throughout the entire filing process.
 - Data protection includes but is not limited to utilizing encryption while in transit and at rest, virus detection and prevention, password protection using complex, strong passwords, limiting access to necessary individuals, destroying unnecessary data, and ensuring no data is held beyond retention dates.
- Provide accurate, current, factual, and complete information.
- Provide data validation, verification, and error detection to prevent transmission of incomplete, inaccurate, or invalid return information.
- Immediately correct any identified software errors and release corrected software in a timely manner. Vendor agrees to notify all West Virginia customers and the Department upon discovering any software errors or making corrections.
- Work with the Department to address any processing issues that arise during filing season.
- Provide the following notification to taxpayers before they choose to submit a return.
 - “Under penalties of law, I declare by submitting this return that I have personally examined this return, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.”
 - “In addition, by using a computer system and software to prepare and transmit my return electronically, I consent to the disclosure to the Department of all information pertaining to my use of the system and software and to the transmission of my tax return electronically.”

Additionally, Providers:

- Shall produce analytic compilation of federal and state return and submission information that directly relate to the internal management or support of the tax services provider’s business, which shall include aggregated data compilations to identify potentially fraudulent behaviors or patterns. The analytic compilation shall employ any tax return information provided by the taxpayer.
- Shall disclose the compilations of tax information to the Department through IRS secure data transmission on at least weekly basis and identify by use of federal and state submission IDs any return the preparer suspects is potentially fraudulent. Tax service providers shall make available any information that would assist the Department in the investigation of returns reported as potentially fraudulent.
- Shall disclose all pertinent information to the Department if a tax services provider has a bona fide belief that a particular individual’s activity violated criminal law.

- Shall provide data elements required by the State of West Virginia for each submission, including but not limited to:
 - Federal Original Submission ID
 - Federal Original Submission ID Date
 - State Current Submission ID
 - State Original Submission ID
 - State Original Submission ID Date
 - License Type
 - Taxpayer E-mail Address
 - Taxpayer Bank Account Routing number (Ultimate)
 - Taxpayer Bank Account Bank Account number (Ultimate)
 - Device ID's
 - Device ID's submission
 - IP Address – at creation
 - Driver's license or state issued ID number (Primary)
 - Driver's license or state issued ID state (Primary)
 - Driver's license or state issued ID expiration date (Primary)
 - Driver's license or state issued ID issue date (Primary)
 - Driver's license or state issued ID number (Secondary)
 - Driver's license or state issued ID state (Secondary)
 - Driver's license or state issued ID expiration date (Secondary)
 - Driver's license or state issued ID issued date (Secondary)
 - State Issued PIN
 - Cell Phone
 - Time for return Prep/submission
 - Downloaded W-2
 - Taxpayer Attempted to download W-2
 - How many unsuccessful attempts.

Standards and Requirements for Confirmation of Specific Data Elements

Transferring data year to year that was either not initially entered accurately or that has changed from one year to the next, causes issues with processing returns. **The following items should not be transferred year to year:**

- State driver's license data elements.
- State withholding account numbers.
- Bank Routing Number
- Bank Account Number

Specific Questions

1. Do you support unlinked jurisdictional returns?
 - a. Yes
 - b. No
2. What refund products or payment vehicles do you offer your customers? If you partner with an entity to provide refunds (e.g. Amazon.com or other pre-paid cards), please provide the names and bank routing numbers (RTNs) of each company. Attach a separate sheet if necessary.
3. Do you require your users/customers to download and apply product updates to continue to electronically file and/or print tax returns with your software? Please explain the timeline and process for this once an update is available for your product.

Data Breach Reporting

All software providers executing this agreement are subject to the data breach security laws, including but not limited to, WV Code §46A-2A-102 and/or the policies and regulations of the West Virginia State Tax Department and West Virginia Office of Technology, including but not limited to: provisions regarding who must comply with the law; definitions of “personally identifiable information”; what constitutes a breach; requirements for notice; and, any exemptions.

Signature

- I acknowledge all e-file ATS tests submitted during the approval process are created in and originate from the actual software.
- I acknowledge all electronic returns received by the West Virginia State Tax Department generated from this software will be electronically filed from the initially approved product version, or a subsequent product update.
- I acknowledge all paper returns received by the West Virginia State Tax Department generated from this software will be printed from the initially approved product version, or a subsequent product update.
- I acknowledge that the West Virginia State Tax Department will be notified of any incorrect and/or missing calculation or e-file data element for any paper or electronically filed returns submitted to the West Virginia State Tax Department
- I acknowledge users/customers of this product who attempt to e-file 10 or more business days after a production release will be required to download and apply the product update.

As the representative of the above-named organization, I agree, on behalf of the organization, to comply with all requirements listed above. Furthermore, by signing this agreement, my organization is agreeing to all of the requirements listed above. The West Virginia State Tax Department reserves the right to revoke approval of any company and thereby refuse to accept any additional returns from such software company that does not adhere to above stated requirements.

As an approved West Virginia State Tax Department provider, I agree to provide true, accurate, current, and complete information about my company. I understand that if I provide any information that is untrue, inaccurate, obsolete, or incomplete, the West Virginia State Tax Department has the right to deny, suspend, or terminate my account.

(AUTHORIZED REPRESENTATIVE) PRINTED NAME	TITLE	EMAIL ADDRESS
(AUTHORIZED REPRESENTATIVE) SIGNATURE	DATE	PHONE NUMBER