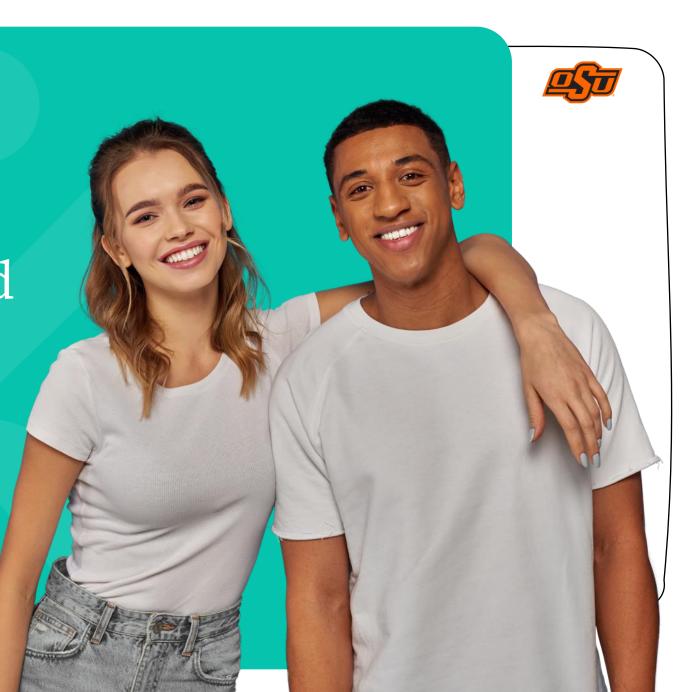
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## Everything You Need To Know About Nonresident Tax

Navigating the nonresident tax journey



### Before we start...

#### Housekeeping:

- \* Feel free to use the chat
- \* Feedback is much appreciated!
- \* Recording will be made available to all attendees

#### **Disclaimer:**

The aim of this presentation is to provide you with a general understanding of tax principles as they apply to international students and as such, is for information purposes only. Each individual has a unique tax position and is responsible for their own tax determination and compliance.



#### Overview

- X Overview of tax for nonresident students and scholars
- X Understand the implications of filing an incorrect tax return
- X Using Sprintax to prepare your tax returns
- X Questions and discussion



## Important dates for 2024

- 2024 tax filing season is for income from 1st January – 31st December 2024
- \* Filing deadline: April 15th 2025\*



What determines residency for tax purposes?



# Resident or nonresident for tax purposes?

- \* Independent of visa/immigration status
- Generally, most international students & scholars who are on F, J, M or Q visas are considered nonresident for tax purposes.
- International students on J1 & F1 visas are automatically considered nonresident for their first 5 calendar years in the US
- Scholars/Researchers (and their dependents) on J visas are automatically considered nonresidents for 2 out of the last
   6 calendar years in the US
- If they've been in the US for longer than the 5 or 2 year periods, the Substantial Presence Test will determine their tax residency - 183 days

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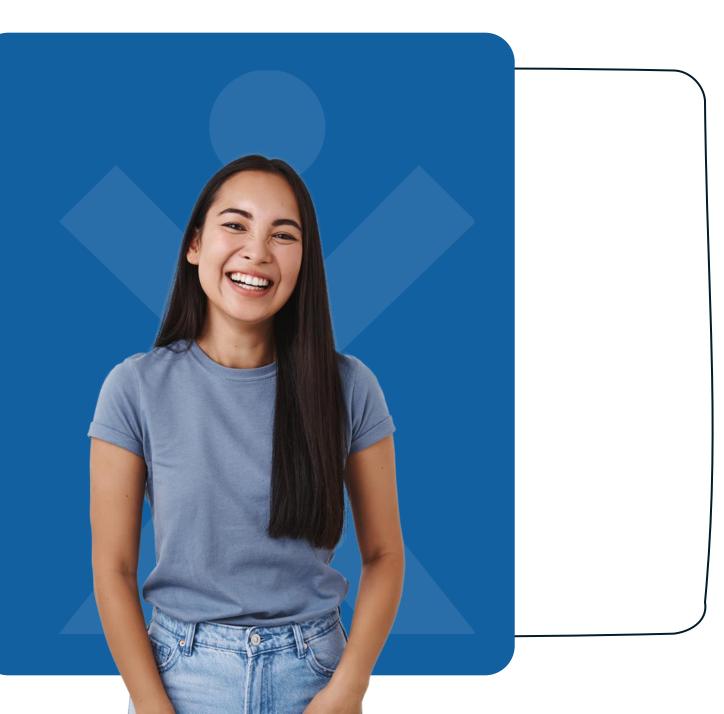
### Who must file?



Every nonresident who is an exempt individual must complete Form 8843 – irrespective of income or days of presence

As there is no personal exemption amount for 2024, any nonresidents who have received taxable earnings or income over \$0 will have a federal filing requirement (1040-NR)

1040-NR-EZ has been discontinued since 2020 tax season



## Form 8843 – minimum filing requirement for all

8843		Statement for Exempt Individuals and Individuals With a Medical Condition For use by allen individuals only. Go to www.irs.gov/Form8843 for the latest information.							4
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## Popular types of US income

- \* Employment
- \* Scholarship covering costs other than tuition and tuition related expenses: Room and board / Stipend
- \* Investment income/Crypto

## Other types of income

- \* Gambling winnings
- \* Focus group gift card
- \* Rental income (over 14 nights)
- \* Selling art/design works
- \* All reportable



# Income which does not trigger a filing requirement for nonresidents

- **X** Scholarship for tuition and related expenses
- X Scholarship received from outside the US
- X Money transferred from parents/relatives overseas
- X Income 'earned' in their home country (investment income, rent, job before moving to US, etc.)
- X Interest on regular savings account

#### Income documents

W2 - Deadline to receive - January 31st 2025

\* Outlines Wages, Salary, Compensation from the entire year (Employment Earnings)

#### 1042-S - Deadline to receive - March 15th 2025 - Sprintax Calculus

- \* Taxable Scholarships/Stipends/Non-Degree Aid
- \* Income exempt by a tax treaty
- \* Royalty Payments
- \* Prize/Award/Miscellaneous foreign payments

**1099 Series** - Deadline to receive - typically by end of March

- \* Rental income
- \* Investment Income
- **\*** Commissions
- \* Independent Contractor Services

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# Where and when can I get my W-2 or 1042-S?

#### W-2 (Available now)

W-2s are now available for OSU employees on <u>my.okstate.edu</u>

(Click on the "Employee" tab, select "Tax Forms," then click "W-2 Wage and Tax Statement." Select "2024" for the tax year and click "Display.")

#### 1042-S (Available soon)

- Those of you who received taxable scholarships, awards, and/or tax treaty benefits will receive a Form 1042-S. The information on this form must be included in your tax return.
- The OSU 1042-S Forms will be available through Glacier by **March 15, 2025**. If applicable, you will receive an email from the Glacier system, and you will be able to download your Form 1042-S from your Glacier account.
- You will access your Form 1042-S through Glacier, then proceed to Sprintax to prepare your federal and state tax returns.
- Please note that not everyone will receive a Form 1042-S.
- For information regarding the 1042-S Form, please contact the Tax and Compliance Services office at <u>tax@okstate.edu</u> after March 15, 2025.

#### 1098-T

You may also receive a 1098-T (Tuition Statement) from OSU. For those considered Nonresident Alien for tax purposes, the 1098-T will **not** be used in the process of filing your tax return.

### Nonresident spouse and dependents

#### Same filing requirements as visa holder:

- X No joint returns for nonresidents
- X Obligations
  - X Minimum is Form 8843
  - \* 1040-NR if applicable
  - Each dependent should mail them in separate envelopes
- X Nonresident can elect to file as resident when married to a tax resident but do the math on both options first!

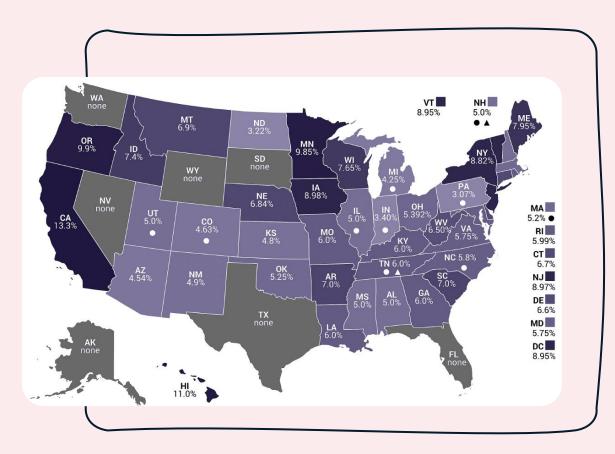
#### FICA taxes

- Nonresident international students and scholars (J1 & F1)
   should not be paying FICA
- H-1B, J-2 and TN visa-holders, are subject to FICA taxes from their first day of employment
- \* Usually only applied to off-campus employment
  - \* However, tax residents do pay
- \* Opportunity to claim back
  - **\*** From employer
  - \* Via Form 843 & Form 8316



#### State taxes

- \* Resident, part-year resident and nonresident status
- \* Forms and rules vary from state to state
- \* Federation of Tax Administrators website www.taxadmin.org/state-tax-forms



## Oklahoma State taxes

#### **Resident, Non-resident or Part-year resident?**

- A nonresident is an individual whose domicile was not in Oklahoma for any portion of the tax year.
- A part-year resident is an individual whose domicile was in Oklahoma for a period of less than 12 months during the tax year.
- An Oklahoma resident is a person domiciled in this state for the entire tax year. "Domicile" is the place established as a person's true, fixed, and permanent home. It is the place you intend to return whenever you are away (as on vacation abroad, business assignment, educational leave or military assignment).

A domicile, once established, remains until a new one is adopted.



#### sprinta×

## Oklahoma State taxes

Who must file an Oklahoma income tax return:

- Every non-resident with Oklahoma source gross income of \$1,000 or more is required to file an Oklahoma income tax return.
- Every resident individual whose gross income from both within and outside of Oklahoma exceeds the standard deduction plus personal exemption is required to file an Oklahoma income tax return. (Personal exemption is \$1000, standard deduction is applicable in cases where it was claimed on the federal return).
- Every part-year resident, during the period of residency, has the same filing requirements as a resident. During the period of non-residency, an Oklahoma return is also required if the Oklahoma part-year resident has gross income from Oklahoma sources of \$1,000 or more.



#### sprinta×

## Individual Taxpayer Identification Number (ITIN)

- \* Required when filing Federal return but not eligible for an SSN
- \* Most common among scholarship recipients (athletes)
- **\*** Process for filing an ITIN application in advance of filing Federal tax return:
- If students are filing an ITIN application in advance of their tax return, they will need to complete and sign a Form W-7. A responsible officer at the institution can usually certify copies of their documents (this is usually copies of your passport, visa, and I-20/DS-2019 for F or J visa holders). Students will then be able to mail the signed W-7 Form with the signed certification letter from their responsible officer alongside the copies of their visa, passport and I-20/DS-2019.
- \* Alternatively, they can get help from a local IRS office or a Certified Acceptance Agent to have their documents certified, instead of using a responsible officer at the school.
- \* Address to mail ITIN application:
  - Internal Revenue Service Austin Service Center ITIN Operation P.O. Box 149342 Austin, TX 78714-9342

## Individual Taxpayer Identification Number (ITIN)

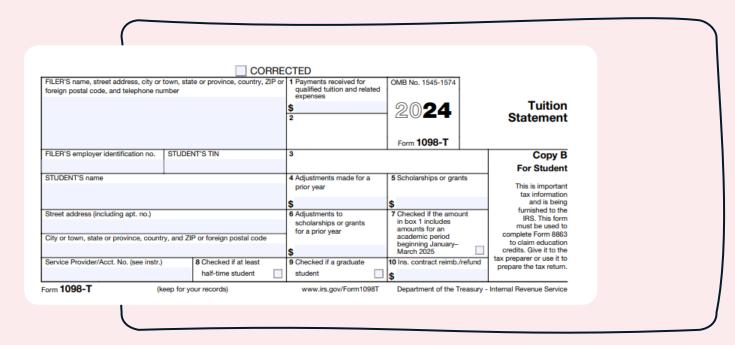
#### $\star$ Instructions for applying for an ITIN while filing your tax return:

- \* When students are filing an ITIN application alongside a tax return, the responsible officer at the school can no longer certify the documents they are providing unless they are a certified acceptance agent.
- \* The following steps are advised if students are applying for an ITIN alongside your tax return. When mailing ITIN application, include:
  - \* 1040 NR (Your Federal tax return)
  - \* ITIN application (Form W-7 signed)
  - \* Attach a certified copy of the applicant's passport.
- \* If including a photocopy of their passport, it must be certified by one of the following\*:
  - \* Certified Acceptance Agent or IRS official
  - \* The governmental department that issued the identification document.
  - \* The United States Embassy or Consulate (make a reservation before visit).

Form (Rev. August 2019) Department of the Treat Internal Revenue Service	sury • For use by Indf	viduals who ► Ser	o are not U.S. citiz e separate instruc	on Number zens or permanent ctions.		OMB No. 1545-0074
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#### 1098-T

- **\*** Tuition Statement
- \* Mostly used to claim education tax credit
- \* Significant cause of misfiling for nonresidents
- **\*** Not relevant for tax nonresidents
- \* Sometimes all students with an SSN on file with their school will get one, even nonresidents, so it can cause a lot of confusion!



## Timelines for a refund

#### Federal

- \* 6 weeks 6 months
- \* Delays in processing paper returns
- \* Contact IRS to follow up 'Where's my refund' <u>https://www.irs.gov/wheres-my-</u> <u>refund</u>

#### State

**\*** Similar but will vary from state to state



## Implications of misfiling



# Missed a year? Filed as a resident by mistake?

Don't panic!

\* but do set the record straight

#### Never filed...

- \* Catch up
- \* Can back file at any stage
- Can only claim a refund for previous 3 years

#### Misfiled...

- 1040X Amended US Individual Income
   Tax Return
- \* Simple form, similar to 1040



# Implications of not filing

- Nonresidents are required to comply with all US laws, including IRS & filing tax forms (even if only 8843).
- Remaining compliant is part of maintaining visa status in the US.
- Not filing could affect future immigration status (like H1B, LPR)
- \* Fines, penalties and interest can accrue if the IRS are owed
- \* Might be missing out on a refund!



## Be careful about options being "recommended" to you!

- Be careful when social media groups are recommending tax companies
- Doing the research on finding legitimate NRA tax service providers is crucial
- TurboTax only supports <u>resident</u> returns
- We helped over 12,000 nonresidents to amend their tax returns over the last 3 years



Does TurboTax handle Form 1040-NR for nonresident aliens?

SOLVED • by TurboTax • 🖒 858 • 🕓 Updated December 18, 2023

Although TurboTax doesn't support IRS Form 1040-NR (U.S. Nonresident Alien Income Tax Return), we have partnered with Sprintax to offer both federal and state tax preparation for international students, scholars, and nonresident foreign professionals.

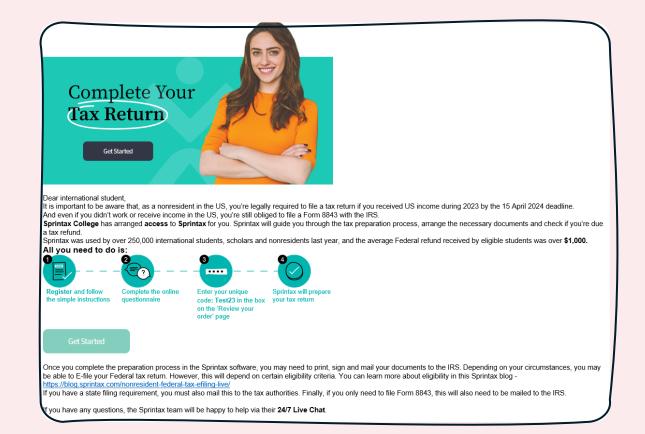
Please visit the TurboTax/Sprintax site for more info.

## Using Sprintax



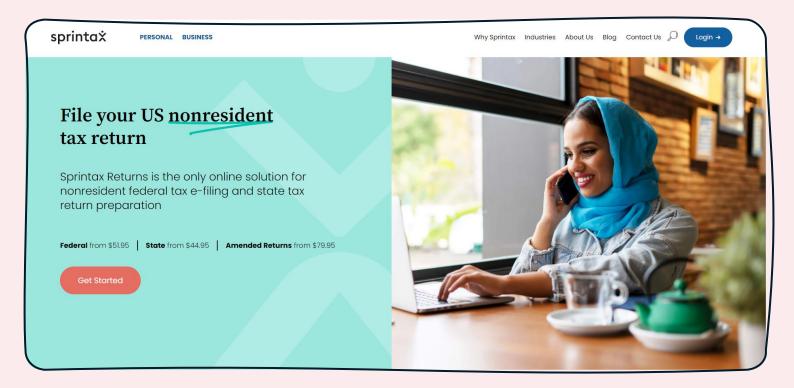
#### Email from school/institution

 You should expect to receive a similar email from your international office including your link to Sprintax and your unique code shown in Step 3 of the email:



## Login page

 The link will bring you to the Sprintax landing page where you register an account for free



## Residency determination

- Once in the system you will be asked questions about your time in the US and your visa details
- ✓ We will confirm residency for tax purposes
- If you are resident for tax purposes we will stop you at this page and also recommend our partner for resident taxes, **Turbotax** (only if you are a resident for tax purposes).

sprinta×		Anna Fitzpatrick Tax Year 2023 progress • *	
		Residency Status	
	You are here	Have you been a US citizen, by birth or naturalization, on the last day of 2023? Yes $\bigcirc$ No $\bigodot$	
	(1) RESIDENCY         • Residency Status →	Have you ever been a green card holder? Yes ◯ No ●	
	() GETTING TO KNOW YOU	Have you ever applied for US citizenship/ lawful residence?	
	C LET'S TALK MONEY	Yes No 💿	
	OFFSET YOUR EXPENSES		
	C ABOUT YOUR COLLEGE	Visiting the US	
	© STATE TAXES	Were you in the US during the 2023 tax year?	
	() REVIEW	Yes <ul> <li>No ()</li> </ul>	
	() FINALIZING	When was your first visit to the US?	
		 Yer ⊚ No ◯	Hi. Need any help?
		Please provide details below of all your visits to the US starting from 2015.	
		Visa Type / Status US Entry Date US Leave Date	
		J1 - Summer Work _ V 06/06/2015 🛱 08/28/2015 🛱	
		FI - Student ∨ 06/23/2021 🛱 12/26/2022 🛱 ×	(😧)
		+ Add Visit	

### Income details

- Income document information provided from W-2, 1042-S, 1099's
- Also note the Support buttons which you can use to access the FAQs or ask the live chat
   team questions as you go through the system

\* OCR (Optical Character Recognition) is here!

sprintaż		Anna Fitzpatrick Tax Year 2022	⋒ 🖟 💽 🕞
		W-2 forms [1]	
	You are here   RESIDENCY   GETINO TO KNOW YOU   () LLT'S TALK MONEY   · Income Documents  · W-2 forms [1]   →	Instructions: We recommend that you use Copy C of your W-2 form to complete your income and tax information. If the information in boxes 16-20 differs on copies B and C of your W-2 form, please attach copy C to your Federal tax return. DO NOT combine information from different forms. If your original W-2 does not have amounts in boxes 16-20 on two rows, do not enter any information on the second row below.	
	O OFFET YOUR DREMES     ABOUT YOUR COLLEGE     STATE TAKES     REVIEW     O FINALIZING	Upload a scan or photo of your income document The uploaded file should contain only one page!	
		Drag your file have to start uploading. OR Rrowser files Select employer type	•
		Select employer type Please Select Please Select Stars Se	٢

#### State taxes

- The system will also recognize if you need to file a state tax return
- Some students may have multiple state filing requirements, depending on their circumstances



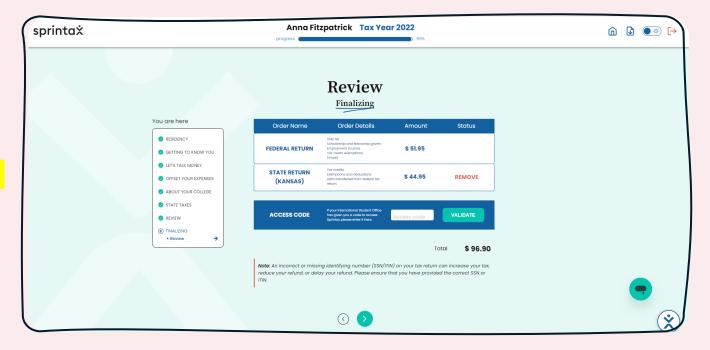


 An example is shown where the system has identified that the student has a state filing requirement from Kansas

### Order breakdown

 At the end of the process Sprintax will outline the order breakdown and the costs involved

 ✓ The link to sign up for the OSU Sprintax discount code will be available through the ISS listservs starting on March 15, 2025.



## Where and when can I get my W-2 or 1042-S?

The link to sign up for the OSU Sprintax discount code will be available through the ISS listservs starting on March 15, 2025.

#### W-2 (Available now)

• W-2s are now available for OSU employees on <u>my.okstate.edu</u>

(Click on the "Employee" tab, select "Tax Forms," then click "W-2 Wage and Tax Statement." Select "2024" for the tax year and click "Display.")

#### 1042-S (Available soon)

- Those of you who received taxable scholarships, awards, and/or tax treaty benefits will receive a Form 1042-S. The
  information on this form must be included in your tax return.
- The OSU 1042-S Forms will be available through Glacier by March 15, 2025. If applicable, you will receive an email from
  the Glacier system, and you will be able to download your Form 1042-S from your Glacier account.
- You will access your Form 1042-S through Glacier, then proceed to Sprintax to prepare your federal and state tax returns.
- Please note that not everyone will receive a Form 1042-S.
- For information regarding the 1042-S Form, please contact the Tax and Compliance Services office at <a href="mailto:tax@okstate.edu">tax@okstate.edu</a> after March 15, 2025.

#### 1098-T

You may also receive a 1098-T (Tuition Statement) from OSU. For those considered Nonresident Alien for tax purposes, the 1098-T will **not** be used in the process of filing your tax return.

# E-filing is now available for federal returns

- The option to e-file is here for federal tax returns!
- Students will see the option to proceed with federal e-filing if it is available to them
- ✓ <u>http://blog.sprintax.com/nonresident-federal-</u> <u>tax-efiling-live/</u>

sprintaž		Testauto Tax Year 2021 progress 100%	û 🗟 💌 P
	You are here	Download Files	
	RESIDENCY		
	GETTING TO KNOW YOU	Finalizing	
	LET'S TALK MONEY	Great News! You can save time and money using e-File option to submit	
	OFFSET YOUR EXPENSES	your Federal tax return with the US tax authorities.	
	ABOUT YOUR COLLEGE		
	STATE TAXES	I confirm I did not file my 2021 federal tax return before.	
	S REVIEW	Decessed with a file	
	S FINALIZING	Proceed with e-File	
		, If you prefer to mail your Federal tax return proceed below	
		You're ready to print and sign your tax return.	
		Next steps:	
		1. Download your tax returns:	
		Federal Tax Return	
		View Download	
		State Tax Return (New York)	
		View Download	
		2. Read the instructions on the PDF(s) with your tax forms	

#### Generation of tax forms

sprintaż		
TEST AUTO 214 LEXINGTON AVE, 21B NEW YORK, NY 10108		
Dear TEST,		
Enclosed please find two copies of your 2021 f software. File one copy with the Internal Revenue Servic	ederal income tax return, which you prepared throug a and retain the second copy for your records.	h Sprintax tax
Tax Summary		
Filing Status	Other single nonresident alien	
Gross Income	\$15000	
Federal Adjusted Gross Income	\$15000	
Federal Taxable Income	\$12550	
Refund Amount	\$2290	
We have attached instructions detailing how to file your tax How much is my refund? Your federal tax refund is \$ 2290. This amount will b	return with the IRS. e credited to your tax return next year as you instructed.	
How do I file my tax return?		
Your tax return must be received by May 17th. I possible using the United States Post Office certain the Uni	lowever, we recommend you mail your federal retur tified mail service, to:	n as soon as
Int	rtment of the Treasury ernal Revenue Service ustin, TX 73301-0215	
If you want to use approved Private Delivery Se	rvice, please mail it to:	
Austin - Internal Rev	venue Submission Processing Center 3651 S IH35, Austin, TX 78741	

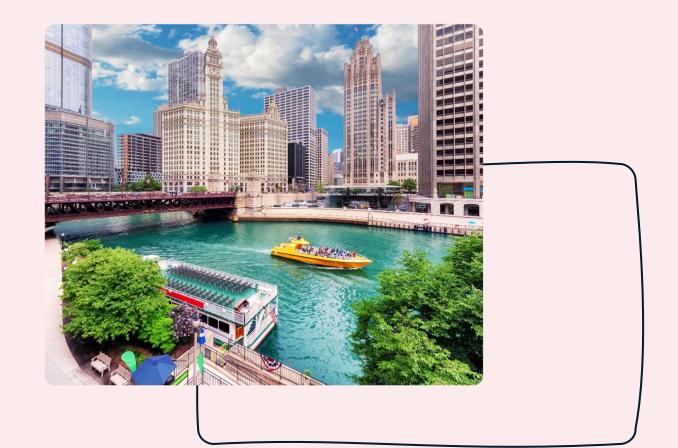
	J-1	U.S. Nonresident	Alien In	come Tax	Retur	n	ON	IB No. 15	45-0074	S Use Only—Do not wr or staple in this space.
iling		Single Married filing				ng widow(e	er) (QW)			
tatus teck only		ou checked the QW box, enter the								
e box.	qu	alifying person is a child but not y	our depende	ent 🕨						
our first nam	e and	middle initial	Last na	ame					Your idea	ntifying number
EST			AUTO						213	
14 LEXINGT		ber and street or rural route). If yo	u have a P.C	). Dox, see inst	tructions.		Apt. 21B	no.	Check if:	
		ice. If you have a foreign address, al	lan normalata	anagaa balaw	State		IP code			Estate or Trus
	ost on	ce. Il you have a foreign address, a	so complete	spaces below.	NY					
IEW YORK oreign count	n nam	0	Eoreign pr	ovince/state/co			10108 oreign post	al code	1	
oreigin count	y nan	6	roreign pri	ovince/state/or	Juny	!'	oreigin posi	a coue		
t any time du	irina 2	021, did you receive, sell, exchang	e. or otherw	ise dispose of	any finan	cial interes	t in any virt	ual curre	ncv?	Yes 🛛 No
any and a	ang z	ALT, and you receive, sen, evening	je, or othern	nac diapose of	ary man		the second second		illey.	
Dependent				(2) Depen	dant'e	(1) De	pendent's	(4	🖌 if qualifi	es for (see instr.):
ee instructions	9): 	(1) First name Last n	ame	identifying i			ship to you	Chil	d tax credit	Credit for other dependents
more than fou ependents, se										
structions and										
neck here										
ncome	<b>1a</b>	Wages, salaries, tips, etc. Attacl	h Form(s) W-	2					. 1a	1500
ffectively	b	Scholarship and fellowship gran	ts. Attach Fo	orm(s) 1042-S	or require	d statemen	t. See instr	uctions	. 1b	
Connected	c	Total income exempt by a treat	y from Sche	dule OI (Form	1040-NR	), Item				
Vith U.S.		L, line 1(e)				L	1c	19	000	
rade or	<b>2a</b>	Tax-exempt interest	2a		b Tax	xable intere	est		. 2b	
Business	<b>3a</b>	Qualified dividends	3a		b Ord	dinary divid	lends		. 3b	
	4a	IRA distributions	4a	0	b Tax	xable amou	int		. 4b	
	5a	Pensions and annuities	5a	0	b Tax	xable amou	int		. 5b	
	6	Reserved for future use						· · .	. 6	
	7	Capital gain or (loss). Attach Sch				ot required	, check her	e. 🕨	7	
	8	Other income from Schedule 1 (							. 8	
	9	Add lines 1a, 1b, 2b, 3b, 4b, 5b,	7, and 8. Th	nis is your tota	l effective	ely connec	ted income		► <u>9</u>	1500
	10	Adjustments to income:								
	a	From Schedule 1 (Form 1040), li					0a		0	
	ь	Reserved for future use				· · F	0b		_	
	c	Scholarship and fellowship gran					0c		0	
	d	Add lines 10a and 10c. These ar				e		• •	10d	1000
	11	Subtract line 10d from line 9. Th				1.1.1		1.1	► <u>11</u>	1500
	12a	Itemized deductions (from So residents of India, standard ded			)) or, for		2a	2	450	
	b	Charitable contributions for certa			nstruction		2b		0	
		Add lines 12a and 12b	- rearranding						. 12c	245
	c	Qualified business income dedu	ction from E	orm 8995 or F	orm 8995	A   1	3a			240
	с 13а					-	3b			
	-			instructions						
	13a	Exemptions for estates and trus Add lines 13a and 13b		instructions					. 13c	
	13a b	Exemptions for estates and trus		instructions		· · · ·			. <u>13c</u>	245

## Other Support



## More available support

- \* Educational tax videos on YouTube
- \* Blog content for tax awareness
- \* 24/7 live chat
- \* Sprintax Forms
- **\*** Tax workshops and webinars



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## Thanks for listening!

Any questions?

Access our live chat through your Sprintax account!

www.sprintax.com

