



Beyond The Record

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GUIDE

How to Fill Out Your W-9 Without Getting It Back

Line 1 is whoever files the tax return, which can be you or can be your company. You do not put both your Social Security number and your EIN. A walkthrough of the form, the four mistakes almost everyone makes, and what happens if you get it wrong.

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WHAT THIS COVERS

- Line 1 depends on how you file, and most people assume wrong
- Your SSN or your EIN. Never both
- The LLC box most people check incorrectly
- Who the check should actually be made out to

You have probably filled out a dozen of these and never thought about it twice. It is one page, most of it is your address, and it feels like a formality.

It is not. The W-9 is what tells the agency how to report your pay to the IRS, and if the information on it does not match IRS records, you are the one who feels it. Usually as a correction request a year later, sometimes as backup withholding, which means 24 percent comes out of your pay until it is sorted.

Here is the form, line by line, and the four places people go wrong.

Line 1: The name on the tax return

One rule covers every situation. Line 1 is the name on the income tax return that reports this income.

What that means depends on how you are set up:

- Sole proprietor, or a single-member LLC you have not elected corporate taxation for: your own legal name. The income lands on your personal return, so line 1 is you
- S corporation or C corporation: the company's legal name. The company files its own return, so line 1 is the company, and the taxpayer number is the company's EIN
- Partnership: the partnership's legal name

This is where people go wrong in both directions. A sole proprietor puts their business name on line 1 when the income actually lands on their personal return. And someone who incorporated puts their own name on line 1 when the company is what files. Either way, the IRS matches line 1 against the taxpayer number, and if those two do not belong together, the agency gets a notice and comes back to you.

If you file a separate return for your company, line 1 is the company.

Line 2: Your business name, if you have one

This is for a DBA or a disregarded entity name that is different from line 1. If you are a sole proprietor doing business as Smith Reporting Services, your name goes on line 1 and Smith Reporting Services goes on line 2. It is optional, and filling it in does not change anything about how you are taxed. It just tells the agency what to call you.

Line 3: Your tax classification

One box. This is the one that determines whether you get a 1099 at the end of the year.

- Individual or sole proprietor: most reporters starting out, and anyone who has not formed a separate entity
- S corporation or C corporation: if you incorporated and elected that treatment
- Partnership: if you are in a partnership
- LLC: check this only if your LLC is taxed as a corporation or partnership, and you must write the letter C, S, or P in the space next to it

Here is the one almost everyone gets wrong. If you have a single-member LLC and you have not elected to be taxed as a corporation, the IRS considers it a disregarded entity. The instructions say to check individual or sole proprietor, put your own name on line 1, and put the LLC name on line 2. Checking the LLC box feels more correct and more official. It is not what the form asks for.

Part I: Your taxpayer number

There is a box for a Social Security number and a box for an EIN. You fill in one. Not both.

People fill in both all the time, usually thinking more information is better. It is not, and a form with both should get sent back.

Which one you use follows directly from line 1. If line 1 is your personal name, the number is your SSN, or your own EIN if you have one as a sole proprietor. If line 1 is your company, the number is the company's EIN. The name and the number have to belong to the same taxpayer.

A question the form does not quite answer: who should the check say?

Line 1 determines whose name goes on the 1099. It does not necessarily determine what the check should say, and those come apart more often than you would think.

If you are a sole proprietor named Jane Smith doing business as Smith Reporting Services, your 1099 correctly says Jane Smith. But if your business bank account is under Smith Reporting Services, a check made out to Jane Smith may not deposit. The agency is not doing anything wrong. They just do not know which account you use.

Tell them at onboarding. One line in your welcome email saves a reissued check and two weeks of waiting: make checks payable to X, and here is my W-9. If your bank accepts either name, say that too.

Part II: Sign it

An unsigned W-9 is not a W-9. It will be sent back, and your first payment may be held until it comes in.

What happens if you get it wrong

Usually nothing, for a while. The form sits in a file. Then the agency files a 1099 using what you gave them, the IRS cannot match the name to the number, and the IRS sends the agency a notice.

At that point, the agency is required to come back to you for a corrected W-9. That is why you occasionally get an email about a form you filled out eighteen months ago. They are not being difficult. They received a notice.

One thing to be clear about withholding

Agencies do not withhold taxes from your pay. You are an independent contractor; they pay you the full amount, and your taxes are yours to handle. That is how it works, and it is not going to change because of a form.

There are IRS rules that can require withholding in cases where a name and number mismatch never gets fixed, but in practice this is rare, and most people in this industry will never encounter it. If an agency asks you for a corrected W-9, it is worth responding promptly, and that is genuinely the end of it.

A few things worth doing

- Keep a copy of every W-9 you send, so you know what each agency has on file
- If you incorporate or change your entity, send updated W-9s to every agency you work with. Do not wait for them to ask

- Use the current version of the form. The IRS updates it, and old versions are missing fields
- If you are not sure which box applies to you, ask your CPA before you sign it rather than after

Beyond the Record is the free educational arm of The DuRoss Group. This is general information about completing Form W-9, not tax advice, and we are not tax professionals. Your situation may be different. Talk to a CPA and check the current IRS instructions for Form W-9.

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