

Florida Limited Liability Company

Recently the Florida Legislature amended the law to make the limited liability company the business entity of choice. It offers more asset protection, lower fees, less paperwork and more benefits than even an S corporation. To take advantage of the Florida limited liability company law you can use our book *How to Form a Limited Liability Company in Florida* available from us for \$26.95 (plus tax and shipping) or from most bookstores. To order by phone, call us at 863-678-0011, or just fax your address and credit card details to 863-678-0155.

However, many clients have told us they would rather not do it themselves. One client went to an attorney who charged \$800 and used obsolete forms. So we have decided to set up limited liability companies for clients for a \$300 fee plus the Secretary of State's \$125 filing fee. This is intended for clients who understand the LLC and can provide their information by fax, phone and email. If a consultation is required, there is an additional \$100 per half hour. If you will be setting up 3 or more LLCs at the same time, with the same owner, email us for a price quote.

Included are your Articles of Organization, Operating Agreement, new Employer Identification Number, IRS Form 8832 Entity Selection, and a copy of our above-mentioned book to guide you in the future. To have us set up your LLC, just complete our Florida Limited Liability Company Setup Instructions form and fax it to 863-678-0155.

When we set up an LLC we are able to list the managers or manager members on the SunBiz web site. Some clients do not want their names listed. Some clients need their names listed because their bank requires it. Please let us know which you prefer.

Most people setting up LLCs want the pass-through taxation of a disregarded entity, but it is also possible to be taxed like a C corporation (company pays taxes) or like an S corporation (income is also passed through to the members). You probably should ask your tax advisor which is best for your situation.

If you own several rental properties that you would like to protect with LLCs, the best way to set it up is to have a separate LLC for each property (so an injury on one property will not cause the loss of other properties) and then have one master LLC that owns all the others. By setting it up this way you do not need to file a tax return for each property. The property-owning LLCs are single-member (with the master LLC as the member) and their income passes through to the master LLC which files a tax return. A diagram of this arrangement is included in our LLC book or can be downloaded at www.warda.net/Resources.html

If you have questions about setting up your LLC with us, you can email us at: mark@warda.net

Florida Limited Liability Company Setup Instructions

Attach additional sheets if necessary

Proposed name of the LLC _____

Second choice (if 1st unavailable) _____

Third choice (if 1st and 2nd unavailable) _____

Address of LLC (no PO Box or mail drop box) _____

County in which business is located _____

Mailing address if different _____

Member(s) names, addresses and Tax ID numbers:

Do you want names listed on Sunbiz web site? Members Managers None

Would you like your interests to pass to someone on death without probate? If so, whom? _____

Name and street address (no PO Box or mail drop box) of registered agent:

If the LLC will be managed by less than all of the members, who will the manager(s) be?

Capital contributions of each member:

\$ _____ \$ _____

How will profits and losses be divided among members?

_____ % _____ %

Principal business activity: _____

Which member will be designated to handle tax matters with the IRS:

Name: _____ Soc. Sec. # _____ - _____ - _____

Do you want to be taxed like a disregarded entity (income goes on member's return)

or like a C corporation or an S corporation

On what date do you expect to first pay wages? _____

During your first 12 months what is the highest number of employees you expect? _____

Contact person _____ Phone _____ Fax _____

I authorize you to set up the above LLC with the Florida Secretary of State, to sign my name to registered agent's acceptance, and charge to the following credit card your \$300 set-up fee plus the \$125 filing fee (which is nonrefundable once LLC is filed). I appoint Land Trust Service Corp. to file my IRS SS-4 form.

Credit card number _____ Exp. Date _____

CC billing address _____ zip code _____ Last 3 digits on back of CC _____

Credit card signature/SS-4 Signature

Registered agent's signature

Land Trust Service Corporation

Post Office Box 186

Lake Wales, FL 33859

Phone 863-678-0011

Fax 863-678-0155