



Planning Your Start-Up: A Checklist

Doing some simple planning before you start is one of the best ways to assure business success and continued growth. Your SV SBDC Business Advisor is trained to help you through this process and will remain available to you as you grow. Use this checklist as a guide but use your SV SBDC and its resources throughout the life of your company.

1. Determine the Feasibility of Your Business Idea

Who is your market? What are the projected costs for start-up and for the first one to three years? What are the projected revenues for that same time period? Who will manage the daily operations? What are your income requirements? What capital will be needed to open and stay in business? Where will it come from? If you need a loan, what portion will you be investing?

2. Prepare a Business Plan with Loan Proposal if required

Your SBDC advisor can assist you through the planning process. In addition to no-fee business consulting, you can also take advantage of SBDC training opportunities.

3. Assemble a Management Team

Your Banker, Accountant/Bookkeeper, Attorney, Insurance Agent, and SBDC Advisor can all be helpful and instrumental to your success. Use their knowledge and experience to build a strong foundation for your business.

4. Research Financing Options

When seeking outside financing, take into account the funding environment, have realistic expectations, know lenders' requirements, and present your request in a professional manner. Be prepared with cash flow projections that can be supported. Also be prepared to contribute a portion of the funding on your own.

After you have done your planning and know what your financial obligations will be, continue working through the other steps in this checklist.

Research Locations

Be sure you are going to be able to finance and move ahead with the business before committing to a lease or purchase. Verify zoning requirements and understand any restrictions on operation or required permits. Do not assume that the existence of a similar business or past businesses at that site means your business will be acceptable. Home-based businesses also may require permits and zoning. Contact your **local Zoning Office and/or Office of Community Development** to learn about your local requirements.

Choose a Business Name

Investigate names in use in the geographic area and industry niche you will be serving. Conduct a search of Web sites and phone directories. Pay attention to other similar sounding names in your market area. Check the availability of an entity name at the **State Corporation Commission**: <http://www.scc.virginia.gov/clk/bussrch.aspx> and consider the options for your Web domain name.

Choose Your Legal Structure

The best legal entity varies for each owner and each business. There is no one "best" structure to use. It is wise to consult with your attorney and tax accountant and consider the type of business, your business and personal goals, and your personal finances when making this decision. For any legal structure other than sole proprietorship, register the appropriate documents with the **State Corporation Commission**: <http://www.scc.virginia.gov/clk/begin.aspx>.

❑ **Obtain a Federal Employer Identification Number (FEIN)**

The FEIN (sometimes called FID) is a unique identifier for your business. All employers, corporations, partnerships, and LLCs are required to obtain an FEIN. A sole proprietor without employees is not required to have one, but would have to use the owner's social security number. Your FEIN is provided FREE from the **Internal Revenue Service**: www.irs.gov and click on the Business Tab.

❑ **Determine State Tax Requirements; Register with Virginia Department of Taxation**

Every company transacting business in Virginia must register with the **Virginia Department of Taxation** (<http://www.tax.virginia.gov>) for all taxes that may apply to the operations. **Form R-1**, the **Combined Registration Application Form** allows registration for all of the taxes listed below. No application fee is required. Find the form and more information under the Businesses link on their site. You will be assigned a Virginia Tax Identification Number, also called your Certificate Registration Number, to be included on all correspondence with the Department.

Sales and Use Tax: If you indicate on your R-1 Application that you will be collecting sales tax or remitting use tax, the Department will send you a Virginia Certificate of Registration for Sales Tax. This is your permit to collect sales tax and to issue and receive exemption certificates. The Virginia Certificate of Registration must be displayed at your place of business. The Department will also send **ST-9** forms (used to report sales & use tax liabilities and to submit the taxes). Reporting and submittal of taxes can be made on-line.

Employee Withholding: If federal law requires an employer to withhold taxes from any employee's pay, the Virginia Department of Taxation will also require Virginia tax withholding. You will register as a Virginia employer on Form R-1. Reporting and submittal of payroll taxes can be done on-line from www.tax.virginia.gov

Other taxes: Corporate Income, litter, various agricultural, and other taxes are also covered on the R-1 form.

Certificate of Exemption: If you will be purchasing goods for resale, you will need to provide a Sales and Use Certificate of Exemption to the seller. This certificate affirms that you do not have to pay sales tax as you will be re-selling the goods and will collect sales tax at the time of the sale. Obtain **Form ST-10** at: <https://www.tax.virginia.gov/sites/default/files/taxforms/exemption-certificates/any/st-10-any.pdf>

❑ **Register with the Virginia Employment Commission**

Employers are liable for unemployment taxes in Virginia if you have had one employee in each of 20 weeks or more during a calendar year or have had a quarterly payroll of \$1,500 or more. If you are subject to any Federal Unemployment, you are also liable in Virginia. Full details are available at the **VEC website or your local VEC field office**.

Virginia Employment Commission: <http://www.vec.virginia.gov/vecportal/>

❑ **File a Certificate of Assumed or Fictitious Name**

As of January 1, 2020, the Clerk's Office of the State Corporation Commission is the central filing office in Virginia for all certificates of assumed or fictitious name. A certificate of assumed or fictitious name must be prepared on a form prescribed by the Commission. A fictitious name is a name that a person (individual or business entity) uses instead of the person's true name, usually in the course of transacting or offering to transact business. It is sometimes referred to as an "assumed name" or "trade name," and it is often identified after a person's true name with the abbreviation "t/a" ("trading as"), "dba" ("doing business as"), or "aka" ("also known as").

☐ Apply for Local Business Licenses; Inquire about Local Taxes or Permits

A Business License may be required in some cities or counties where you operate. The fee is usually prepaid as part of the application and the tax rates vary depending on the type of business. Most businesses pay a tax based on gross receipts; a few categories pay a flat fee. New businesses will be asked to estimate their first year gross receipts and the tax will be adjusted at a later date to reflect actual. Contact your local **Commissioner of the Revenue or Town Administrator** to satisfy local license requirements and to inquire about any other local taxes such as local sales, meals or hospitality taxes or vendor fees.

☐ Obtain Insurance Needed

Discuss property, liability, and other insurance needs with a qualified insurance professional to manage your risk and protection. Virginia law requires every employer who regularly employs three or more full-time or part-time employees to purchase and maintain workers' compensation insurance. Employers with fewer than three employees may voluntarily come under the Act. See the **VWC website** for details: <http://www.vwc.state.va.us>.

☐ Consider Professional or Occupational Licenses specific to your industry or trade

Virginia Department of Professional and Occupational Regulation: <http://www.state.va.us/dpor>

☐ Open a Business Checking Account

It is important to keep your business accounts separate from your personal finances. An integral part of that is a separate business checking account and/or credit card so that all business records are clear and documented and not at risk of being mixed with personal expenditures. Consult your banker for best options for a business account.

☐ Other Considerations

Employment & Hiring Practices – Report newly hired and re-hired employees to the Virginia New Hire Reporting Center: <http://www.va-newhire.com/>. Complete Employment Eligibility Verification Forms (Form I-9) for all employees. <http://uscis.gov/graphics/howdoi/faqeev.htm>

Employment Taxes – Virginia [Withholding Tax Guide](#); Federal [Employer's Tax Guide](#)

eVA Registration – <http://www.eva.virginia.gov>

Virginia's web-based electronic marketplace to bring government buyers and sellers together.

Small, Women, or Minority-Owned (SWAM) Certifications – <http://www.dmbv.virginia.gov>

Provides for the certification of minority and women-owned businesses who wish to do business with state government agencies.

Please note: This checklist is by no means all-inclusive. Each business may have unique registration or reporting requirements depending on the industry, type of business entity, location, employment issues, and other. Do your homework by reading and studying the Web sites and booklets prepared for your use by your federal, state, and local government offices. Consult your business accountant, attorney, or SBDC advisor if in doubt.