



CT-43

New York State Department of Taxation and Finance

Claim for Special Additional Mortgage Recording Tax Credit

Tax Law — Articles 9, 9-A, 32 and 33

1997 calendar yr. filers, check box

Other filers enter tax period:

| | |
|-----------|--|
| beginning | |
| ending | |

Do not use this form if you file Form CT-43.1.

| | | |
|------|--------------------------------|-------------|
| Name | Employer identification number | File number |
| | | |

Please read instructions on back.

This form must be attached to your franchise tax return.

Special additional mortgage recording tax paid by borrower:

| Location of Property | Mortgage Recording Date | Amount of Mortgage | Credit Claimed (1/4 of 1% of mortgage) |
|----------------------|-------------------------|--------------------|--|
| | | | |
| | | | |
| | | | |
| | | | |

| | | | |
|---|---|---|--|
| 1 Special additional mortgage recording tax credit (total of Credit Claimed column) | 1 | • | |
| 2 Special additional mortgage recording tax paid by lender | 2 | • | |
| 3 Unused special additional mortgage recording tax from preceding period | 3 | • | |
| 4 Total available tax credit (add lines 1, 2 and 3) | 4 | • | |

Computation of Special Additional Mortgage Recording Tax Credit Available to be Carried Forward

| | | | |
|--|---|---|--|
| 5 Tax (see below)* | 5 | | |
| 6 Minimum tax (see below)** | 6 | | |
| 7 Special additional mortgage recording tax credit used this period (subtract line 6 from line 5; do not enter an amount more than the amount on line 4) | 7 | • | |
| 8 Unused special additional mortgage recording tax credit available to be carried forward (subtract line 7 from line 4) | 8 | • | |

If you filed:

* Enter on line 5 the amount from:

** Enter on line 6 the minimum tax shown below:

| | | |
|-----------------------------|---|-------------------------------|
| Form CT-3 | Line 78 less all other tax credits | amount from CT-3, line 81 |
| Form CT-3-A | Line 77 less all other tax credits | amount from CT-3-A, line 80 |
| Form CT-3-S | Line 28 | amount from CT-3-S, line 27 |
| Form CT-3-S-A | Line 43 | amount from CT-3-S-A, line 42 |
| Form CT-32 or CT-32-A | Schedule A, line 5 less all other tax credits | \$250 |
| Form CT-32-S | Line 10 | \$250 |
| Form CT-33 | Line 11 less all other tax credits | See line 6 instructions |
| Form CT-33-A | Line 12 less all other tax credits | See line 6 instructions |
| Form CT-183 | Line 4 | \$ 75 |
| Form CT-184 | Line 3 or line 4 | -0- |
| Form CT-185 | Line 6 | \$ 10 |
| Form CT-186 | Line 5 | \$125 |

Instructions

General Information

Reporting Period

If you are a calendar year filer, check the box in the upper right corner on the front of this form.

If you are a fiscal year filer, complete the beginning and ending tax period boxes in the upper right corner on the front of the form.

If you file one of the following franchise tax returns, you may claim, as a credit against your franchise tax, certain special additional mortgage recording tax you paid.

| Form Number | Tax Law | Reference to Credit |
|---|-------------|---------------------------|
| CT-3*, CT-3-A, CT-3-S and CT-3-S-A | Article 9-A | — sections 210.17, 210.21 |
| CT-32, CT-32-A and CT-32-S | Article 32 | — section 1456(c) |
| CT-33 and CT-33-A | Article 33 | — section 1511(e) |
| CT-183 | Article 9 | — section 187.1 |
| CT-184 | Article 9 | — section 187.1 |
| CT-185 | Article 9 | — section 187.1 |
| CT-186 | Article 9 | — section 187.1 |

* General business corporations previously filing Form CT-4 or Form CT-4-S may claim the credit by filing Form CT-3 or Form CT-3-S in any year the credit is claimed.

A tax credit will not be allowed for the special additional mortgage recording tax paid on **residential** mortgages (defined below) recorded on or after May 1, 1987, if the real property is located in Erie County or any of the counties within the Metropolitan Commuter Transportation District (MCTD). The MCTD includes the counties of New York, Bronx, Queens, Kings, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester.

A *residential mortgage* is defined as a mortgage of real property that has been or will be principally improved by one or more structures containing a total of not more than six **residential** dwelling units, each with its own separate cooking facilities.

Residential mortgage borrowers who borrow from an exempt organization and residential mortgage lender corporations, taxable under Article 9-A, will **not** be allowed to carry forward unused special additional mortgage recording tax credit due

and paid in any tax year beginning before 1986. For periods beginning in 1986 through periods beginning in 1989, and periods beginning in or after 1994, these taxpayers may elect, in lieu of carryover, to treat the unused portion of special additional mortgage recording tax credit as an overpayment of tax to be credited or refunded on Form CT-43.1. See TSB-M-94(4)C for additional information.

New York S corporations taxable under Article 9-A will not be allowed to carry forward special additional mortgage recording tax credit due and paid in any tax year beginning before 1994. For periods beginning in and after 1994, this credit may be applied against the franchise tax, carried over, or treated as an overpayment of tax as discussed above.

Do not file Form CT-43 if you are claiming a refund on Form CT-43.1.

When claiming this credit, the amount of the special additional mortgage recording tax used as a deduction in the computation of federal taxable income must be added back when computing New York State entire net income. When the special additional mortgage recording tax credit is not claimed, add-back of the tax paid is not required. (For additional information, see Technical Services Bureau Memorandums TSB-M-87(7)C and TSB-M-87(10)C.)

Corporations taxable under Articles 9-A, 32 and 33 must apply this credit after all other tax credits. If there is a special additional mortgage recording tax credit available to be carried forward, complete lines 5 through 8 of this form.

Line 6 — A taxpayer filing Form CT-33 may be subject to a tax less than the minimum tax because of section 1505 of Article 33. In this case, if line 6 is greater than line 5, enter "0" on line 7.

For corporations filing Forms CT-3, CT-3-A, CT-3-S, CT-3-S-A, CT-32, CT-32-A, CT-32-S, CT-33, or CT-33-A the gain or loss on the sale of real property on which the special additional mortgage recording tax credit was claimed must be increased, in the case of a gain, or decreased, in the case of a loss, when all or any portion of the credit was used in the basis for computing federal gains.

Need Help?

Telephone Assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday. **For business tax information and forms**, call the Business Tax Information Center at 1 800 972-1233. **For general information**, call toll free 1 800 225-5829. **To order forms and publications**, call toll free 1 800 462-8100. **From areas outside the U.S. and Canada**, call (518) 485-6800.

Fax-on-Demand Forms Ordering System - Most forms are available by fax 24 hours a day, 7 days a week. Call toll free from the U.S. and Canada 1 800 748-3676. You must use a Touch Tone phone to order by fax. A fax code is used to identify each form.

Internet Access - <http://www.tax.state.ny.us> Access our website for forms, publications, and information.

Hotline for the Hearing and Speech Impaired - If you have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Assistance is available from 8:30 a.m. to 4:15 p.m., Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

Persons with Disabilities - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

Mailing Address - If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.