



# Instructions for Form IT-360.1

## Change of City Resident Status

New York City • Yonkers

**IT-360.1-I**

### General information

If during the tax year you had a New York City or Yonkers change of resident status, you must complete Form IT-360.1. If you changed your New York City or Yonkers residence, but not your New York State residence, attach Form IT-360.1 to Form IT-201, *Resident Income Tax Return (long form)*. If you changed both your New York State residence and New York City or Yonkers residence during the same tax year, you must complete both Form IT-203, *Nonresident and Part-Year Resident Income Tax Return*, and Form IT-360.1. If you changed your city resident status, you cannot use Form IT-150, *Resident Income Tax Return (short form)*.

Your move into or out of New York City or Yonkers will be recognized as a change of resident status if:

- at the time of your move, you definitely intended to permanently leave your home and residence; **and**
- you definitely intended to establish a permanent home (domicile) someplace else.

The New York State Tax Department will consider your actions as well as your statements in deciding if you have met both conditions for a change of resident status.

For definitions of *domicile*, *permanent place of abode*, *resident*, *nonresident* and *part-year resident*, and for information on who must file returns, see the combined instructions for Form IT-150 and Form IT-201, or the instructions for Form IT-203.

### Which forms to file

#### New York City or Yonkers change of resident status

If you were a New York State resident the entire year but you changed your New York City or Yonkers resident status by moving into or out of one of these cities, you must file the following forms with the Tax Department:

- **Form IT-201**, *Resident Income Tax Return*, to report your part-year New York City resident tax or part-year Yonkers resident income tax surcharge for your city resident period.
- **Form IT-360.1**, *Change of City Resident Status*. If you had a change of resident status for New York City or for Yonkers, complete Form IT-360.1, following the specific instructions that begin on page 3.

#### New York State and New York City, or New York State and Yonkers change of resident status

If you changed both your New York State resident status and New York City resident status, or your New York State and Yonkers resident status during the same tax year, you must file the following forms with the Tax Department:

- **Form IT-203**, *Nonresident and Part-Year Resident Income Tax Return*, to report your part-year New York City resident tax or part-year Yonkers resident income tax surcharge for your resident period.
- **Form IT-360.1**, *Change of City Resident Status*. If you had a change of resident status for New York City or for Yonkers, complete Form IT-360.1, following the specific instructions that begin on page 3.

**You may also have to file Form Y-203**, *Yonkers Nonresident Earnings Tax Return*, in either of the change of resident status situations listed above to report any wages or net earnings from self-employment that you received from Yonkers sources during

your nonresident period. (However, if you did not receive any such wages from an employer or earnings from self-employment during your nonresident period, you do not have to file Form Y-203. Simply attach to either your Form IT-201 or your Form IT-203 a statement saying that you received no wages or earnings from self-employment from Yonkers sources during that period.)

#### New York City and Yonkers change of resident status

If you were a New York State resident the entire year and you moved from New York City to Yonkers, or from Yonkers to New York City, you must file the following forms with the Tax Department:

- **Form IT-201**, *Resident Income Tax Return*, to report your part-year New York City resident tax and your part-year Yonkers resident income tax surcharge for each city resident period.
- **Form IT-360.1**, *Change of City Resident Status*. Complete Form IT-360.1, following the specific instructions that begin on page 3 to compute your part-year New York City resident tax and to compute your part-year Yonkers resident income tax surcharge.

**You may also have to file Form Y-203**, *Yonkers Nonresident Earnings Tax Return*, to report any wages from an employer or net earnings from self-employment that you received from Yonkers sources during the period that you lived in New York City.

#### Returns for married taxpayers

If you are married, filing a joint New York State return, either on Form IT-201 or Form IT-203, and you each changed your **New York City** resident status at the same time, you must file a joint Form IT-360.1.

If you are married, filing separate New York State returns, or if you changed your New York City resident status at different times, you each must file separate Forms IT-360.1.

If you are married filing a joint New York State return and only one spouse had a New York City change of resident status, you must compute your New York City taxes separately. The spouse who changed city residence must complete Form IT-360.1 and attach it to Form IT-201 or Form IT-203. The other spouse, if a full-year resident, must compute a separate New York City resident tax for the entire tax year on Form IT-201.

If you are married, filing a joint New York State return either on Form IT-201 or Form IT-203 and you each changed your **Yonkers** resident status, you must file a joint Form IT-360.1. If you are filing separate New York State returns, you each must file separate Forms IT-360.1.

If you are married filing a joint New York State return and one of you was a resident of Yonkers and the other was a part-year resident of Yonkers, you must each compute your Yonkers resident income tax surcharge separately. The part-year resident must complete Form IT-360.1 and Form Y-203, if applicable, and attach them to Form IT-201.

If you are married filing a joint New York State return and a joint Form IT-360.1, enter both names on the joint Form IT-360.1 and the social security number of the primary taxpayer. If you are married filing a joint New York State return but are required to file a separate Form IT-360.1, enter the name and social security number of the spouse who is completing the separate Form IT-360.1.

**How to file**

Attach Forms IT-360.1 and Y-203, if applicable, to either your resident return, Form IT-201, or your nonresident and part-year resident return, Form IT-203, and mail them in the same envelope.

**Income and deductions — special accruals**

Your accrued income as an individual moving out of New York City is income you earned in your New York City resident period but received after you became a nonresident of New York City. Your accrued income as an individual moving into New York City is non-New York State source income you earned in your nonresident period but received after you became a New York City resident. Income accrues to you as a taxpayer when the amount becomes fixed and determinable **and** you have an unrestricted right to receive it. An accrued expense is a cost that has been incurred but not yet paid.

**If you moved out of New York City**, you must include on Form IT-360.1 any item of income, gain, loss, or deduction which, under an accrual method of accounting, would be reportable at the time you changed your residence. This includes income or gain you elected to report on the installment basis. You must also accrue to New York City items of tax preference subject to the minimum income tax (Form IT-220) and the total taxable amount of lump-sum distributions subject to the separate tax on lump-sum distributions (Form IT-230).

Accruals are not required if you file a bond or other acceptable security in an amount equal to or greater than the amount of additional New York City resident tax that would be due if the accrued items were included on your part-year resident return, and you include the accrued amount on your New York State return for subsequent tax years as if no change in resident status occurred. If you elect to file a bond instead of accruing income, you will need Form IT-260, *New York State and New York City Surety Bond Form — Change of Resident Status — Special Accruals*. If you elect to file other acceptable security instead of accruing income, you will need Form IT-260.1, *Change of Resident Status — Special Accruals*.

As a resident, if you received proceeds from lottery winnings (the amount of winnings less the amount of the wager) of more than \$5,000 from a state lottery, the proceeds are subject to New York State, New York City (if applicable) and Yonkers (if applicable) income tax withholding. Form W-2G, *Certain Gambling*

*Winnings*, will serve as acceptable security in lieu of making a special accrual of lottery winnings as required by the Tax Law.

**If you became a New York City resident** during the tax year, you must accrue any item of income, gain, loss, or deduction which, under an accrual method of accounting, would be reportable at the time you changed your residence, except that no accrual is required or allowed for items of income, gain, loss, or deduction derived from or connected with New York State sources.

Any item of income, gain, loss, or deduction accrued up to the time you changed your residence must be excluded in determining your New York City taxable income, minimum taxable income, or total taxable amount of lump-sum distributions for the year of change or any subsequent year.

**Standard deduction**

If you claimed the standard deduction on Form IT-201 or Form IT-203, you must claim the standard deduction on Form IT-360.1.

| Filing status  | Standard deduction |
|--|--------------------|
| Single ① and you <b>can</b> be claimed as a dependent on another taxpayer's return.....    | \$ 3,000           |
| Single ① and you <b>cannot</b> be claimed as a dependent on another taxpayer's return..... | 7,500              |
| Married filing joint return ②, or qualifying widow(er) ⑤ with a dependent child.....       | 15,000             |
| Married filing separate return ③ .....   | 7,500              |
| Head of household ④ (with qualifying person) .....   | 10,500             |

**How to prorate your standard deduction and dependent exemptions**

If you changed your New York City resident status, you have to prorate your standard deduction and your dependent exemptions. To do this, first determine the number of full months you spent as a New York City resident during your 12-month tax year. Count any period of more than one-half month as a full month; do not count a period of one-half month or less. Then use the *Proration chart* below to find the allowable amount of your standard deduction and exemptions.

**Proration chart**

| Number of months | Standard deduction                          |  |   |                                |                   | Dependent exemption(s)           |
|------------------|---|--|---|--------------------------------|-------------------|----------------------------------|
|                  | Single and can be claimed on another return | Single and cannot be claimed on another return | Married filing joint return and Qualifying widow(er) with dependent child | Married filing separate return | Head of household | Value of one dependent exemption |
| 1                | \$ 250.00                                   | \$ 625.00                                      | \$ 1,250.00   | \$ 625.00                      | \$ 875.00         | \$ 83.33                         |
| 2                | 500.00                                      | 1,250.00                                       | 2,500.00  | 1,250.00                       | 1,750.00          | 166.67                           |
| 3                | 750.00                                      | 1,875.00                                       | 3,750.00  | 1,875.00                       | 2,625.00          | 250.00                           |
| 4                | 1,000.00                                    | 2,500.00                                       | 5,000.00  | 2,500.00                       | 3,500.00          | 333.33                           |
| 5                | 1,250.00                                    | 3,125.00                                       | 6,250.00  | 3,125.00                       | 4,375.00          | 416.67                           |
| 6                | 1,500.00                                    | 3,750.00                                       | 7,500.00  | 3,750.00                       | 5,250.00          | 500.00                           |
| 7                | 1,750.00                                    | 4,375.00                                       | 8,750.00  | 4,375.00                       | 6,125.00          | 583.33                           |
| 8                | 2,000.00                                    | 5,000.00                                       | 10,000.00   | 5,000.00                       | 7,000.00          | 666.67                           |
| 9                | 2,250.00                                    | 5,625.00                                       | 11,250.00   | 5,625.00                       | 7,875.00          | 750.00                           |
| 10               | 2,500.00                                    | 6,250.00                                       | 12,500.00   | 6,250.00                       | 8,750.00          | 833.33                           |
| 11               | 2,750.00                                    | 6,875.00                                       | 13,750.00   | 6,875.00                       | 9,625.00          | 916.67                           |
| 12               | 3,000.00                                    | 7,500.00                                       | 15,000.00   | 7,500.00                       | 10,500.00         | 1,000.00                         |

If you are married and filing separate returns and one of you claims the standard deduction, the other must also claim the standard deduction. If you are married and filing a joint New York State return but are separately computing your tax for New York City, use the *Married filing separate return* column to find your prorated standard deduction.

**Example 1:** *You and your spouse moved into New York City on April 1; your 3-month city nonresident period is January through March; your 9-month city resident period is April through December. Your standard deduction on your joint New York State return for the entire year is \$15,000. Your standard deduction for the nine months that you and your spouse were New York City residents, based on the Proration chart, is \$11,250.00.*

If you have more than one dependent exemption, use the *Proration chart* on page 2 and multiply the value of one dependent exemption (the right-hand column) by the number of your dependent exemptions claimed on Form IT-201 or Form IT-203.

**Example 2:** *You are married filing a joint return and have two dependent children. On June 10 you moved from New York City to Rochester. You are entitled to two dependent exemptions totaling \$2,000. For New York City purposes, you must prorate the dependent exemption to conform with your five-month city resident period (January through May). Your prorated dependent exemptions total is \$833.34 (2 dependent exemptions × 416.67).*

If only one spouse changed New York City resident status during the year, New York City resident taxes must be computed separately. The spouse who was a full-year resident of New York City must compute full-year city resident tax on Form IT-201. A Form IT-360.1 must be completed for the spouse who changed city resident status to compute a prorated New York City resident tax. Use the standard deduction portion of the *Proration chart* on page 2 for your filing status.

**Example 3:** *You are married and filing a joint New York State return. You are a full-year resident of New York City. Your spouse moved into New York City on September 4. You must compute a separate New York City resident tax for the entire tax year on your joint New York State Form IT-201. Your spouse, who changed city residence status as of September 4, must complete a separate Form IT-360.1 for the four-month resident period. Your standard deduction on your joint return for the entire year is \$15,000. However, the married filing separate return standard deduction for the four months your spouse was a New York City resident, based on the Proration chart, is \$2,500.00.*

## Specific instructions

See the instructions for your tax return for the *Privacy notification* or if you need help contacting the Tax Department.

### Name(s) and social security number

Enter your name and social security number exactly as they appear on your Form IT-201 or Form IT-203. Also enter your spouse's name, if applicable. See *Returns for married taxpayers* on the front page of these instructions.

### Change of resident status box

Mark an **X** in the box that shows your specific change of resident status:

**Box (A), New York City change of residence** — Mark this box if you moved into or out of New York City. Complete Parts 1, 2, 3, and 4 of Form IT-360.1.

**Box (B), Yonkers change of residence** — Mark this box if you moved into or out of Yonkers. Complete Parts 1 and 5 of Form IT-360.1.

**Box (C), New York City and Yonkers change of residence** Mark this box if you moved from New York City to Yonkers or from Yonkers to New York City. Complete the entire Form IT-360.1.

## Part 1 — New York adjusted gross income

### Lines 1 through 18

**Enter in Column A** the amounts of income and adjustments reported on your **federal** return. You can round off cents to the nearest whole dollar.

**Enter in Column B** that part of the income included in Column A that you received from all sources while you were a **New York City resident**.

**Enter in Column C** that part of the income included in Column A that you received from all sources while you were a **Yonkers resident**.

### Line 19 — New York adjustments

Compute the additions to or subtractions from your federal adjusted gross income that you entered in Column A as if you were a New York City or Yonkers resident the entire year. Enter in Column B the amount of additions to or subtractions from your federal adjusted gross income for the period you were a New York City resident. Enter in Column C the amount of additions to or subtractions from your federal adjusted gross income for the period you were a Yonkers resident.

These adjustments are listed in the instructions for Form IT-201 or Form IT-203 under *New York additions and subtractions*.

On a separate sheet marked **Form IT-360.1, Line 19 — New York adjustments**, identify by item letter the New York adjustments that apply to you. Show the amount of each and attach this sheet to your return. Total all your adjustments and include the net figure on line 19.

If you are married and filing separate returns, you must each claim your own items of income and adjustments as if you had filed separate federal returns.

## Part 2 — Itemized deductions for New York City

If you itemize deductions on Form IT-201 or Form IT-203 and you changed your New York City resident status, you must claim the itemized deduction on Form IT-360.1. Complete Part 2 of Form IT-360.1.

### Lines 21 through 34

Annual limitations allowed for federal income tax purposes, such as medical expenses, interest, and miscellaneous deduction limitations must be applied separately to the applicable federal items attributed to your New York City period of residence.

In determining these amounts, you may want to recompute federal Schedule A as if your allowable federal itemized deductions and your federal adjusted gross income were limited for federal tax purposes to your period of city residence.

**Enter in Column A** the total itemized deductions that you claimed on Form IT-201 or Form IT-203.

**Enter in Column B** the itemized deductions you incurred or paid, determined as if your tax year for federal income tax purposes were limited to the period you were a **New York City resident**.

**Line 31 — State, local, and foreign income taxes and other subtraction adjustments**

If the amount you reported on Form IT-360.1, line 18, Column B, is \$159,950 or less (\$79,975 or less if married filing separately) and you itemized your deductions on your federal return, enter the amount of state, local, and foreign income taxes included on line 22, Column B, and other subtraction adjustments related to those itemized deductions included on line 28, Column B. Other subtraction adjustments are listed in the instructions for the *New York State itemized deduction worksheet*, line i. If you have a subtraction adjustment for long-term care (item F), complete Worksheet 1 below.

If the amount you reported on Form IT-360.1, line 18, Column B, is more than \$159,950 (more than \$79,975 if married filing separately) and you itemized your deductions on your federal return, you must complete Worksheet 1 (only if you have a subtraction adjustment for item F) and Worksheet 2. Before completing Worksheet 2, you must recompute the *Itemized Deductions Worksheet* found in the instructions for Form 1040, Schedule A. You must recompute that worksheet as if your federal adjusted gross income and your allowable federal itemized deductions were limited for federal tax purposes to your period of New York City residence.

**Worksheet 1**

**Long-term care adjustment**

- 1 Amount of long-term care premiums included on federal Schedule A, line 1, **for your period of city residence only** ..... 1. \_\_\_\_\_
- 2 Amount from federal Schedule A, line 1, **for your period of city residence only** ..... 2. \_\_\_\_\_
- 3 Divide line 1 by line 2 and round the result to the fourth decimal place ..... 3. \_\_\_\_\_
- 4 Amount from line 21, Column B ..... 4. \_\_\_\_\_
- 5 Multiply line 3 by line 4. If line 18, Column B, is:  
 – **\$159,950 or less** (\$79,975 or less if you are married filing separately), enter here and include in the total for line 31.  
 – **more than \$159,950** (more than \$79,975 if you are married filing separately), enter here and on **Worksheet 2**, line 10 ..... 5. \_\_\_\_\_

**Worksheet 2**

**Subtraction adjustment limitation**

- 1 Enter amount from the federal *Itemized Deductions Worksheet*, line 11 (see line 31 instructions) ..... 1. \_\_\_\_\_
- 2 Enter amount from the federal *Itemized Deductions Worksheet*, line 3 (see line 31 instructions) ..... 2. \_\_\_\_\_
- 3 Divide line 1 by line 2 and round the result to the fourth decimal place ..... 3. \_\_\_\_\_
- 4 Amount of state, local, and foreign **income taxes** included on line 22, Column B\* ..... 4. \_\_\_\_\_
- 5 Amount of subtraction adjustments B and C\*\* that are related to total federal itemized deductions included on line 28, Column B. Also include that portion of the deductions under subtraction adjustment E\*\* that is included on lines 19, 27, and 28 of federal Schedule A (for example, contributions) and is also included on line 28, Column B..... 5. \_\_\_\_\_
- 6 Add lines 4 and 5..... 6. \_\_\_\_\_
- 7 Multiply line 6 by line 3 ..... 7. \_\_\_\_\_
- 8 Subtract line 7 from line 6..... 8. \_\_\_\_\_
- 9 Enter the amount of subtraction adjustments D and E\*\*, excluding that portion of subtraction adjustment E included in line 5 above..... 9. \_\_\_\_\_
- 10 Enter the amount from **Worksheet 1**, line 5... 10. \_\_\_\_\_
- 11 Add lines 8, 9, and 10. Enter the total on line 31 ..... 11. \_\_\_\_\_

\* Do not enter any **general sales taxes** that you entered on federal Schedule A, line 5.

\*\* For a description of subtraction adjustments, see the *New York State itemized deduction worksheet* instructions found in the instructions for Form IT-201 or Form IT-203.

**Line 33 — Addition adjustments and college tuition itemized deduction**

**Addition adjustments** — Recompute your addition adjustments as if your allowable New York itemized deductions were limited for New York tax purposes to your New York City resident period. See the instructions for the *New York State itemized deduction worksheet* for Form IT-201 or Form IT-203 for a list of addition adjustments.

**College tuition itemized deduction** — Recompute your allowable college tuition itemized deduction using only the expenses paid while you were a New York City resident.

— **Form IT-201 filers:** You may claim the college tuition itemized deduction only if you did not elect to claim the college tuition credit. For your New York City resident period **only**, your allowable college tuition itemized deduction will be the recomputed amount on Form IT-272, *Claim for College Tuition Credit or Itemized Deduction*, Part 1, line 3.

— **Form IT-203 filers:** Recompute your allowable college tuition itemized deduction for your New York City resident period using Form IT-203-B, Schedule C, *College tuition itemized deduction worksheet*.

**All filers** — Attach a separate sheet to your Form IT-360.1 marked **Form IT-360.1, line 33** showing the amount of each recomputed addition adjustment (identified by item letter) that applies to you and, if applicable, your recomputed college tuition itemized deduction. Combine the recomputed addition adjustments and college tuition itemized deduction (if applicable), and enter the total amount on line 33.

**Line 35 — Itemized deduction adjustment**

Enter the amount of your itemized deduction adjustment. If Form IT-360.1, line 20, Column B is:

- \$100,000 or less, enter **0** on Form IT-360.1, line 35.
- more than \$100,000 but not more than \$475,000, complete Worksheet A.
- more than \$475,000 but not more than \$525,000, complete Worksheet B.
- more than \$525,000, enter 50% (.50) of Form IT-360.1, line 34, on line 35.

**Worksheet A**

- 1 New York adjusted gross income from Form IT-360.1, line 20, Column B ..... 1. \_\_\_\_\_
- 2 Filing status ① or ③ enter \$100,000; or filing status ④ enter \$150,000; or filing status ② or ⑤ enter \$200,000..... 2. \_\_\_\_\_
- 3 Subtract line 2 from line 1. If line 2 is more than line 1, enter **0** on Form IT-360.1, line 35. **Do not continue with this worksheet.** ... 3. \_\_\_\_\_
- 4 Enter the lesser of line 3 or \$50,000 ..... 4. \_\_\_\_\_
- 5 Divide line 4 by \$50,000 and round the result to the fourth decimal place..... 5. \_\_\_\_\_
- 6 Enter 25% (.25) of Form IT-360.1, line 34 .... 6. \_\_\_\_\_
- 7 Multiply line 5 by line 6 ..... 7. \_\_\_\_\_

**Enter this amount on Form IT-360.1, line 35.**

**Worksheet B**

- 1 Enter the excess of New York adjusted gross income (Form IT-360.1, line 20, Column B) over \$475,000 (*cannot exceed \$50,000*) .. 1. \_\_\_\_\_
- 2 Divide line 1 by \$50,000 and round the result to the fourth decimal place..... 2. \_\_\_\_\_
- 3 Enter 25% (.25) of Form IT-360.1, line 34 .... 3. \_\_\_\_\_
- 4 Multiply line 2 by line 3 ..... 4. \_\_\_\_\_
- 5 Add lines 3 and 4..... 5. \_\_\_\_\_

**Enter this amount on Form IT-360.1, line 35.**

**Part 3 — Dependent exemptions**

**Line 39** — Enter the number of full months you were a New York City resident. Count any period of more than one-half month as a full month; do not count a period of one-half month or less.

**Line 40** — Use the *Proration chart* on page 2 to determine the prorated value of one dependent exemption for the number of months that you were a resident of New York City.

**Part 4 — Part-year New York City resident tax**

Complete Part 4 of Form IT-360.1 to compute your part-year New York City resident tax.

**Line 44 — Resident period standard or itemized deduction**

If you are claiming the standard deduction, enter your prorated standard deduction. See *How to prorate your standard deduction and dependent exemptions* on page 2 of these instructions.

If you are claiming the itemized deduction, enter on line 44 the amount of your itemized deduction from line 36.

**Line 48** — Compute your part-year New York City resident tax on the amount on line 47 by using the *2008 New York City tax rates*, below.

**2008 New York City tax rates**

| Married filing jointly and qualifying widow(er) — filing status ② and ⑤ |              |             |      |        |                    |          |
|---|--------------|-------------|------|--------|--------------------|----------|
| If line 47 is:  |              | The tax is: |      |        |                    |          |
| over  | but not over |             |      |        |                    |          |
| \$ 0  | \$21,600     |             |      | 2.907% | of line 47         |          |
| 21,600  | 45,000       | \$ 628      | plus | 3.534% | of the excess over | \$21,600 |
| 45,000  | 90,000       | 1,455       | plus | 3.591% | " " " "            | 45,000   |
| 90,000  | .....        | 3,071       | plus | 3.648% | " " " "            | 90,000   |

| Single and married filing separately — filing status ① and ③ |              |             |      |        |                    |          |
|--|--------------|-------------|------|--------|--------------------|----------|
| If line 47 is:   |              | The tax is: |      |        |                    |          |
| over   | but not over |             |      |        |                    |          |
| \$ 0   | \$12,000     |             |      | 2.907% | of line 47         |          |
| 12,000   | 25,000       | \$ 349      | plus | 3.534% | of the excess over | \$12,000 |
| 25,000   | 50,000       | 808         | plus | 3.591% | " " " "            | 25,000   |
| 50,000   | .....        | 1,706       | plus | 3.648% | " " " "            | 50,000   |

| Head of household — filing status ④ |              |             |      |        |                    |          |
|-------------------------------------|--------------|-------------|------|--------|--------------------|----------|
| If line 47 is:                      |              | The tax is: |      |        |                    |          |
| over                                | but not over |             |      |        |                    |          |
| \$ 0                                | \$14,400     |             |      | 2.907% | of line 47         |          |
| 14,400                              | 30,000       | \$ 419      | plus | 3.534% | of the excess over | \$14,400 |
| 30,000                              | 60,000       | 970         | plus | 3.591% | " " " "            | 30,000   |
| 60,000                              | .....        | 2,047       | plus | 3.648% | " " " "            | 60,000   |

**Line 49** — Enter on line 49 the total of credits listed below that you are entitled to claim.

**New York City household credit**

You qualify to claim this credit if you marked the *No* box at item (C) on the front page of your Form IT-201 or Form IT-203, and if you checked:

- filing status ① **only (Single)** and the amount on Form IT-201, line 18, (or Form IT-203, line 18, *Federal amount* column) is **not** over \$12,500.
- filing status ②, ④, or ⑤ and the amount on Form IT-201, line 18, (or Form IT-203, line 18, *Federal amount* column) is **not** over \$22,500.
- filing status ③ and the combined amount from both spouses' returns (Form IT-201, line 18, or Form IT-203, line 18, *Federal amount* column) is not over \$22,500.

Filing status ① — Use *Household credit table 1* below to find the amount of your New York City household credit.

Filing status ②, ④, or ⑤ — Use *Household credit table 2* on page 7 to find the amount of your New York City household credit.

Filing status ③ — Use *Household credit table 3* on page 7 to find the amount of your New York City household credit.

If you are married and filing a joint New York State return but are separately computing your tax for New York City, use *Household credit table 3* on page 7 to find the amount of your New York City household credit.

The household credit is based on federal adjusted gross income and the number of federal exemptions. If you change your New York City resident status during the tax year, the New York City household credit, computed on federal adjusted gross income for the entire year, has to be prorated based on the number of full months you spent as a resident.

**Example 1:** *You are single and moved into New York City on March 29. Your federal adjusted gross income for the entire year is \$9,000. This entitles you to a New York City household credit of \$15 which you must prorate for your resident period. To prorate your credit for your nine-month resident period, multiply \$15 by  $\frac{9}{12}$  and include the result (\$11.25) on line 49 of Form IT-360.1.*

**Example 2:** *You are married and filing separate returns. You moved out of New York City on May 9, and your spouse moved out on August 30. Your combined federal adjusted gross income for the entire year is \$14,500. You and your spouse have one dependent child, and therefore claim a total of three federal exemptions. You are each entitled to a \$45 New York City household credit. You must prorate it as follows:*

|   | <b>You</b> | <b>Your spouse</b> |
|---|------------|--------------------|
| New York City household credit .....                                    | \$45       | \$45               |
| Resident period of four months<br>( $\frac{4}{12} \times \$45$ ) .....  | \$15       |                    |
| Resident period of eight months<br>( $\frac{8}{12} \times \$45$ ) ..... |            | \$30               |

*You and your spouse must each enter your prorated New York City household credit on line 49 of your separate Forms IT-360.1.*

**Accumulation distribution credit**

If you are a beneficiary of a trust and received an accumulation distribution from the trust during the period that you resided in New York City, you may be allowed a credit for the **New York City** income taxes paid by the trust (section 1310(a) of the Tax Law). Attach a copy of the computation of your New York City accumulation distribution credit provided to you by the trust.

If you are also entitled to claim the New York City household credit, enter the total of the two credits on line 49.

**New York City Household credit table 1**  
Filing status ① only (Single)

**If Form IT-201, line 18 (or Form IT-203, line 18, *Federal amount* column) is:**

| <b>over</b>  | <b>but not over</b> | <b>enter on Form IT-360.1, line 49:</b>                               |
|--------------|---------------------|---|
| \$ * .....   | \$10,000 .....      | \$ 15   |
| 10,000 ..... | 12,500 .....        | 10  |
| 12,500 ..... |                     | No credit is allowed; do not make an entry on Form IT-360.1, line 49. |

\* This may be any amount up to \$10,000, including 0 or a negative amount.

(continued)

**New York City Household credit table 2**  
Filing status ②, ④ and ⑤

If Form IT-201, line 18 (or Form IT-203, line 18, *Federal amount* column) is:

| over         | but not over |
|--------------|--------------|
| \$ * .....   | \$ 15,000    |
| 15,000 ..... | 17,500       |
| 17,500 ..... | 20,000       |
| 20,000 ..... | 22,500       |
| 22,500 ..... |              |

And the number of exemptions from your *Dependent exemption worksheet*, line c found on page 80 of the IT-201 instructions, or page 38 of the IT-203 instructions (married 1040EZ filers use column 2), is:

|  | 1  | 2  | 3   | 4   | 5   | 6   | 7  | over<br>7** |
|--|----|----|-----|-----|-----|-----|----|-------------|
| <b>Enter on Form IT-360.1 line 49:</b> |    |    |     |     |     |     |    |             |
| \$30                                   | 60 | 90 | 120 | 150 | 180 | 210 | 30 |             |
| 25                                     | 50 | 75 | 100 | 125 | 150 | 175 | 25 |             |
| 15                                     | 30 | 45 | 60  | 75  | 90  | 105 | 15 |             |
| 10                                     | 20 | 30 | 40  | 50  | 60  | 70  | 10 |             |

No credit is allowed; do not make an entry on Form IT-360.1, line 49.

\* This may be any amount up to \$15,000, including 0 or a negative amount.

\*\* For each exemption over 7, add amount in this column to column 7 amount.

**New York City Household credit table 3**  
Filing status ③ only (Married filing separate return)

If Form IT-201, line 18, (or Form IT-203, line 18, *Federal amount* column) total from both returns is:

| over         | but not over |
|--------------|--------------|
| \$ * .....   | \$ 15,000    |
| 15,000 ..... | 17,500       |
| 17,500 ..... | 20,000       |
| 20,000 ..... | 22,500       |
| 22,500 ..... |              |

And the number of exemptions from both *Dependent exemption worksheets*, line c found on page 80 of the IT-201 instructions, or page 38 of the IT-203 instructions is:

|   | 1  | 2     | 3  | 4     | 5  | 6     | 7     | over<br>7** |
|---|----|-------|----|-------|----|-------|-------|-------------|
| <b>Enter on Form IT-360.1, line 49:</b> |    |       |    |       |    |       |       |             |
| \$15                                    | 30 | 45    | 60 | 75    | 90 | 105   | 15    |             |
| 12.50                                   | 25 | 37.50 | 50 | 62.50 | 75 | 87.50 | 12.50 |             |
| 7.50                                    | 15 | 22.50 | 30 | 37.50 | 45 | 52.50 | 7.50  |             |
| 5                                       | 10 | 15    | 20 | 25    | 30 | 35    | 5     |             |

No credit is allowed; do not make an entry on Form IT-360.1, line 49.

\* This may be any amount up to \$15,000, including 0 or a negative amount.

\*\* For each exemption over 7, add amount in this column to column 7 amount.

**Line 51 — Part-year New York City separate tax on lump-sum distributions**

Enter your New York City separate tax on lump-sum distributions you received while you were a resident of New York City. If you were a New York City resident for part of 2008 and if you used federal Form 4972 to compute your federal tax on lump-sum distributions, compute your part-year New York City tax on Form IT-230, *Separate Tax on Lump-Sum Distributions*, for that part of the year you were a New York City resident, and attach it to Form IT-201 or Form IT-203. For more information, see Form IT-230-I, *Instructions for Form IT-230*.

**Line 52 — Part-year New York City resident tax on the capital gain portion of lump-sum distributions**

Enter your New York City tax on the capital gain portion of your lump-sum distribution received while you were a resident of New York City. If you were a New York City resident for part of 2008 and if you used federal Form 4972, Part II, to compute your federal tax on the capital gain portion of a lump-sum distribution, compute your part-year New York City tax on Form IT-230, Part 2, and attach it to Form IT-201 or Form IT-203. For more information, see Form IT-230-I, *Instructions for Form IT-230*.

**Line 54** — Enter the amount of your credit from Form IT-219, *Credit for New York City Unincorporated Business Tax*, and attach the form.

**Part 5 — Part-year Yonkers resident income tax surcharge**

Compute all credits for which you may be eligible before continuing with this part. Enter the applicable credit amounts on your Form IT-201, IT-201-ATT, IT-203, or IT-203-ATT. Complete Part 5 of Form IT-360.1 to compute your part-year Yonkers resident income tax surcharge.

**Lines 56 through 72**

If you were a New York State resident the entire year but you changed your Yonkers resident status, complete lines 56 through 65.

If you were a New York State resident for only a part of the year and you also changed your Yonkers resident status, complete lines 66 through 72.

**Line 73 — Income percentage**

Enter in the applicable column your income percentage from the worksheet below.

**Income percentage worksheet**

- |   |          |
|---|----------|
| a Enter the amount from Form IT-360.1, line 20, Column C .....                | a. _____ |
| b Enter the amount from Form IT-360.1, line 20, Column A .....                | b. _____ |
| c Divide line a by line b. Round the result to the fourth decimal place ..... | c. _____ |