



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

1996 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
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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 73 less all other tax credits..... See line 6 instructions
- Form CT-3-A..... Line 75 less all other tax credits..... See line 6 instructions
- Form CT-3-S..... Line 28 See line 6 instructions
- Form CT-32 or CT-32-A..... Schedule A, Line 5 less all other tax credits..... \$250
- Form CT-33 or CT-33-A..... Line 11 less all other tax credits..... See line 6 instructions
- Form CT-183 Line 4 \$ 75
- Form CT-184 Line 1 or line 2 -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 the 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 and CT-3-S . . .	Article 9-A	— sections 210.17, 210.21
CT-32	Article 32	— section 1456(c)
CT-33	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-3 must include on this line the higher of the tax on the minimum taxable income base or the fixed dollar minimum tax. This is the amount shown on line 76 of Form CT-3.

A taxpayer filing Form CT-3-A must include on this line the higher of the tax on the minimum taxable income base or the fixed dollar minimum tax. This is the amount shown on line 78 of Form CT-3-A.

A taxpayer filing Form CT-3-S must include on this line the fixed dollar minimum tax shown on line 27 of Form CT-3-S.

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

All other taxpayers include on this line the amount listed under minimum tax at the bottom of the front page.

For corporations filing Forms CT-3, CT-3-A, CT-3-S, CT-32 or CT-33, 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.

For additional information about this credit, please refer to Technical Services Bureau Memorandum TSB-M-79(3)C.

Need Help?

For information, forms or publications, call the Business Tax Information Center at 1 800 972-1233. For information, you can also call toll free 1 800 225-5829. For forms or publications, you can also call toll free 1 800 462-8100.

Telephone assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday.

From areas outside the U.S. and Canada, call (518) 485-6800.

Hotline for the Hearing and Speech Impaired - If you have a hearing or speech impairment and 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. Hours of operation are 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.

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