



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

1999 calendar-yr. filers, check box []
Other filers enter tax period:

beginning
ending

Name, Employer identification number, File number

Please read instructions on back.
Attach this form to your franchise tax return.

Table with 3 rows: 1 Special additional mortgage recording tax credit due and paid during current tax year, 2 Unused special additional mortgage recording tax credit from preceding period, 3 Total available tax credit

Computation of special additional mortgage recording tax credit available to be carried forward

Table with 10 rows: 4 Tax, 5 Less tax credits previously claimed, 6 Subtotal, 7 Minimum tax, 8 Limitation on credit used, 9 Special additional mortgage recording tax credit used this period, 10 Unused special additional mortgage recording tax credit available to be carried forward

Refund or credit of special additional mortgage recording tax credit (for Article 9-A taxpayers only)

Table with 8 rows: 11 Amount of recording tax included on line 1, 12 Amount of recording tax included on line 2, 13 Add lines 11 and 12, 14 Amount of recording tax eligible for refund or credit, 15 Amount of unpaid tax, 16 Amount of unpaid MTA surcharge, 17 Add lines 15 and 16, 18 Balance to be refunded

Use line 19 only if line 13 is less than line 10

Table with 1 row: 19 Amount to be carried forward

If you filed:

- Form CT-3
Form CT-3-A
Form CT-3-S
Form CT-3-S-A
Form CT-32 or CT-32-A
Form CT-32-S
Form CT-33
Form CT-33-A
Form CT-183
Form CT-184
Form CT-185
Form CT-186

* Enter on line 4 the amount from:

- Line 78
Line 77
Line 28
Line 43
Schedule A, line 5
Line 10
Line 11
Line 16
Line 4
Line 3 or line 4
Line 6
Line 5

** Enter on line 7 the minimum tax shown below:

- amount from CT-3, line 81
amount from CT-3-A, line 80
amount from CT-3-S, line 27
amount from CT-3-S-A, line 42
\$250
\$250
\$250
\$250
\$ 75
-0-
\$ 10
\$125

Instructions

General information

New for 1999

Article 9-A filers can now use this form to claim a refund; Form CT-43.1 has been eliminated.

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 is not 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.

Article 9-A taxpayers who paid the special additional mortgage recording tax credit on residential mortgages in any tax year beginning before 1986 may **not** carry forward unused special additional recording tax credit relating to these residential mortgages. 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. See Technical Services Bureau Memorandum TSB-M-94(4)C for additional information.

For taxable periods beginning in and after 1994, New York S corporations taxable under Article 9-A may apply this credit against the franchise tax, carry it over, or treat it as an overpayment of tax as discussed above.

When claiming this credit, you must add back the amount of the special additional mortgage recording tax used as a deduction in the computation of federal taxable income, when computing New York State entire net income. If you are not claiming the special additional mortgage recording tax credit, 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.)

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.

If there is a special additional mortgage recording tax credit available to be carried forward, complete lines 4 through 10 of this form.

Line 5 — If you are claiming more than one credit for this tax year, enter the amount of the credit(s) previously claimed prior to the application of the special additional mortgage recording tax credit. Otherwise, enter "0" on line 5.

Order of credits — You must apply certain credits before the special additional mortgage recording tax credit. Refer to the instructions for your franchise tax return to determine the order of credits.

Article 9-A taxpayers only: To claim a credit or refund of the special additional mortgage recording tax credit, complete lines 11 through 19.

Line 12 — Enter the amount of unused special additional mortgage recording tax credit from tax years beginning in 1986 through 1989, and tax years beginning in or after 1994. The recording tax credit from tax years beginning in 1990 through 1993 is not refundable. It may only be carried forward.

Line 15 — Enter the amount of your **unpaid** minimum franchise tax. For Form CT-3, the minimum franchise tax is the higher of the tax on the minimum taxable income base or the fixed dollar minimum. For Form CT-3-A, the minimum franchise tax is the higher of the tax on the combined minimum taxable income base or the fixed dollar minimum. For Form CT-3-S, the minimum franchise tax is the fixed dollar minimum shown on line 27 of Form CT-3-S. For Form CT-3-S-A, the minimum franchise tax is the fixed dollar minimum shown on line 42 of Form CT-3-S-A.

Line 16 — Enter the amount of your unpaid MTA surcharge from Form CT-3M/4M.

Line 18 — To avoid an unnecessary exchange of funds we will apply the refundable portion of the tax credit to any unpaid balance of the franchise tax and MTA surcharge, and refund the remaining balance. Enter the line 18 amount on Form CT-3, line 99; Form CT-3-A, line 100; Form CT-3-S, line 54; or Form CT-3-S-A, line 64.



Need help?

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

Tax information: 1 800 972-1233

Forms and publications: 1 800 462-8100

From outside the U.S. and outside Canada: (518) 485-6800

Fax-on-demand forms: 1 800 748-3676

Internet access: <http://www.tax.state.ny.us>

Hearing and speech impaired (telecommunications device for the deaf (TDD) callers only): 1 800 634-2110 (8:30 a.m. to 4:25 p.m., eastern time)



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 1 800 225-5829.



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