



Credit for Rehabilitation Expenses for Retail Enterprises and Historic Barns

CT-46-ATT

All filers must enter tax period:

beginning [ ] ending [ ]

Legal name of corporation [ ] Employer identification number [ ]

Schedule A - Rehabilitation expenditures for retail enterprises

New York State sales tax vendor registration number [ ] Percentage of business receipts from retail sales [ ] % Percentage of rehabilitated area used in retail sales [ ] %

Table with 7 columns: A Description of property rehabilitation expenditures, B Primary use of rehabilitated area, C Date of expenditure (mm-dd-yy), D Life (years), E Rehabilitation expenditures, F % Rates (see Rate schedule 1 in Form CT-46-1), G Investment tax credit (E x F)

1 Add column G amounts (enter here and on Form CT-46, line 3) [ ] 1

Schedule B - Rehabilitation expenditures for historic barns

For lines 2 through 11, mark an X in the Yes or No box for each question to determine if you are eligible to claim this credit.

- 2 Has the barn been converted to residential use? Yes [ ] No [ ] If Yes, stop. You do not qualify for this credit.
3 Is the barn listed in the National Register? Yes [ ] No [ ] If Yes, the barn's rehabilitation must be certified by the federal Secretary of Interior or the New York State Office of Parks, Recreation and Historic Preservation. Attach a copy of the certification (see instructions).
4 If you answered No to question 3, is the barn located in a registered historic district? Yes [ ] No [ ]
5 If you answered Yes to question 4, is the barn of historic significance to the district? Yes [ ] No [ ] If Yes, the barn must be a certified historic structure and the barn's rehabilitation must be certified by the federal Secretary of Interior or the New York State Office of Parks, Recreation and Historic Preservation. Attach a copy of the certification. If No, attach documentation from the Office of Parks, Recreation and Historic Preservation stating the barn is of no historic significance to the district (see TSB-M-97(5)(C), A Credit for Rehabilitation of Historic Barns).
6 If you answered No to questions 3 and 4, was the barn originally designed and used for storing farm equipment or agricultural products or for housing livestock, and was the barn first placed into service before 1936? Yes [ ] No [ ] If No, stop. You do not qualify for this credit.
7 Has the historic appearance of the barn been materially altered? Yes [ ] No [ ] If Yes, stop. You do not qualify for this credit. If No, attach a copy of the letter from the Office of Parks, Recreation and Historic Preservation stating that the historic appearance of the barn has not been materially altered (see TSB-M-97(5)(C)).
8 Describe the measurement period used to determine whether the barn has been substantially rehabilitated (see instructions) [ ]
9 What is the adjusted basis of the barn as of the first day of the measurement period? (see instructions) [ ] 9 [ ]
10 Do the expenditures incurred during the measurement period to rehabilitate the barn exceed the greater of the amount shown in question 9 or \$5,000? Yes [ ] No [ ] If No, stop. You do not qualify for this credit.
11 Did you use the straight-line method of depreciation over a recovery period specified in either Internal Revenue Code (IRC) section 168(c) or 168(g), whichever is applicable to you? Yes [ ] No [ ] If No, stop. You do not qualify for this credit.

Date rehabilitation work began: [ ] Date rehabilitation work was completed: [ ]

Table with 5 columns: A Description of rehabilitation expenditures (attach additional sheets if necessary), B Date of expenditure(s) (mm-dd-yy), C Life (years), D Amount of expenditure(s), E Rehabilitation credit (column D x 25% (.25))

12 Add column E amounts (enter here and on Form CT-46, line 4) [ ] 12

Attach to Form CT-46, Claim for Investment Tax Credit.

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## Instructions

### Temporary deferral of certain tax credits

For tax years beginning on or after January 1, 2010, and before January 1, 2013, if the total amount of certain credits that you may use to reduce your tax or have refunded to you is greater than \$2 million, the excess over \$2 million must be deferred to, and used or refunded in, tax years beginning on or after January 1, 2013. For more information about the credit deferral, see Form CT-500, *Corporation Tax Credit Deferral*.

If you are subject to the credit deferral, you must complete all credit forms without regard to the deferral. However, the credit amount that is transferred to your tax return to be applied against your tax due or to be refunded to you may be reduced. Follow the instructions for Form CT-500 to determine the amounts to enter on your tax return.

### Purpose of form

Use Form CT-46-ATT to claim a credit for the rehabilitation expenditures of retail enterprises (Schedule A) or historic barns (Schedule B). If you qualify for either credit, or both, complete the applicable schedule and **attach** this form to Form CT-46, *Claim for Investment Tax Credit*.

The provisions for recapture applicable to investment tax credit property (Article 9-A section 210.12(g)) also apply to these credits. Refer to the instructions for computing recapture amounts in Schedule D on Form CT-46.

### Credit for rehabilitation expenditures for retail enterprises

Section 210.12(k) allows a credit for qualified rehabilitation expenditures, as defined in Internal Revenue Code (IRC), section 47(c)(2). In addition to qualifying for the federal credit, the taxpayer must be a retail enterprise.

A *retail enterprise* is a taxpayer registered as a vendor under Tax Law Article 28, and is at least 50% engaged in retail sales as defined in section 1101(b)(4)(i).

The rehabilitated property must be located in New York State. The credit is limited to the portion of the expenditures attributable to the property employed in retail sales.

### Credit for rehabilitation expenditures for historic barns

Section 210.12(l) allows a credit for qualified rehabilitation expenditures, as defined in IRC section 47(c)(2), paid or incurred for any barn located in New York State that is a qualified rehabilitated building, as defined in IRC section 47(c)(1).

A barn must be a building originally designed and used for storing farm equipment or agricultural products, or for housing livestock. No rehabilitation credit is allowed for a barn converted to a residence or a barn whose historic appearance has been altered.

A barn must either have been placed in service before 1936, or, if placed in service after that time, a barn must be a certified historic structure listed in the National Register of Historic Places, or located in a registered historic district certified by the Secretary of the Interior.

Expenditures for the enlargement of a barn **do not** qualify for the credit. However, a barn will not be disqualified from the credit because it has been enlarged. In such cases, the total expenditures paid or incurred for rehabilitation must be apportioned to exclude those expenditures attributable to the enlargement.

For detailed information concerning qualified rehabilitated expenditures, qualified rehabilitated buildings, alteration of

the historic appearance of a barn, certified historic structures, registered historic districts, and enlargement of a barn, refer to TSB-M-97(5)(C), *A Credit for Rehabilitation of Historic Barns*.

### Computation of tax credit(s)

Complete Schedules A and B as appropriate, and enter the total credits computed on Form CT-46, lines 3 and 4.

### Schedule A – Rehabilitation expenditures for retail enterprises

Provide the information required in columns A, B, C, and D. Attach a separate page if you need more space. Enter in column E the portion of the qualified rehabilitation expenditures paid or incurred for that part of the building employed in retail sales activity.

### Schedule B – Rehabilitation expenditures for historic barns

**Questions 3 and 4** – If a barn is listed in the National Register, or a barn is located in a registered historic district **and** is of historic significance to the district, the barn is a certified historic structure. A certified historic structure must have a rehabilitation certified by the federal Secretary of Interior or the New York State Office of Parks, Recreation and Historic Preservation. If the barn for which a credit is claimed is a certified historic structure, attach the appropriate certification. For more information, see TSB-M-97(5)(C).

**Questions 5 and 7** – Attach documentation that the historic appearance of the barn has not been materially altered and, where appropriate, documentation that the barn is of no historic significance to a registered historic district. One acceptable form of documentation is a letter from the Office of Parks, Recreation and Historic Preservation. Documentation that a federal rehabilitation credit of 10% or 20% has been allowed for a barn is another acceptable form of documentation.

**Questions 8 and 9** – To qualify for the credit, a barn must have been substantially rehabilitated. To determine whether a barn has been substantially rehabilitated, the expenditures incurred to rehabilitate the barn during a measurement period selected by the taxpayer must exceed the greater of the adjusted basis of the barn or \$5,000. The measurement period is a 24-month period selected by the taxpayer and ending with or within the tax year. If the rehabilitation could reasonably be expected to be completed in phases set forth in architectural plans and specifications completed before the rehabilitation begins, the measurement period may be 60 months long. You may be required to submit documentation of the architectural plans and specifications at a later date. The adjusted basis is generally determined as of the beginning of the first day of the measurement period.

Provide the information required in columns A, B, and C. Attach a separate page if you need more space.

**Column D** – Enter in column D the amount of qualified rehabilitation expenditures paid or incurred for a qualified rehabilitated barn.

If the expenditures include the cost of enlarging a barn and can be separately accounted for, exclude the expenditures attributable to the enlargement. Otherwise, on a separate page, show the total expenditures (including the enlargement) and the apportionment method to exclude the expenditures for the enlargement (as prescribed in TSB-M-97(5)(C)) that was used to arrive at the amount of rehabilitation expenditures entered in this column.

### Need help? and Privacy notification

See Form CT-1, *Supplement to Corporation Tax Instructions*.

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