



# Credit for Rehabilitation of Historic Properties

## Worksheet for Tax Year 2021

### 36 M.R.S. § 5219-BB

Enclose this worksheet with your return.

**Note:** A separate worksheet must be completed for each portion of a certified rehabilitation and for each building of a certified structure placed in service during the taxable year. Read the instructions before completing this worksheet.

Taxpayer Name: \_\_\_\_\_ EIN/SSN: \_\_\_\_\_

**Enter** beginning and ending dates of the tax year to which this worksheet relates: \_\_\_\_\_

**Note:** In the case of pass-through entities (such as partnerships, LLCs, S corporations, and trusts) making eligible investments, the partners, members, shareholders, beneficiaries, or other owners are allowed a credit in proportion to their respective interests in these entities or in accordance with an executed agreement among the owners. Enter the name and ID number of the entity on the lines below. Also enter your ownership percentage in the pass-through entity, or if applicable, your percentage interest in the credit in accordance with an executed agreement among the owners.

Name of Pass-through Entity	EIN/SSN	Ownership Percentage
		%

**Check the boxes that apply:**

- A.  Check this box if the credit is for rehabilitation expenditures for which a federal credit under Internal Revenue Code (IRC), Section 47 is claimed, and the United States Department of Interior, National Park Service issues a determination on or before December 31, 2025 that the proposed rehabilitation of the related structure meets the Secretary of the Interior's standards for rehabilitation, with or without conditions. Attach a copy of Part 3 of the historic preservation certification application approved and signed by the National Park Service. Also, attach a copy of federal Form 3468.
- B.  Check this box if the credit is for a small rehabilitation (qualified expenditures of at least \$50,000 and no more than \$250,000 incurred on or after January 1, 2008) with respect to expenditures for which the federal credit under IRC, Section 47 is not claimed, and the Maine Historic Preservation Commission issues a determination on or before December 31, 2025 that the proposed rehabilitation of that structure meets the Secretary of the Interior's standards for rehabilitation, with or without conditions. Attach a copy of Part 3 of the small project rehabilitation certification application approved and signed by the Maine Historic Preservation Commission.

**Note:** Attach a copy of the reporting form(s) (both Parts A and B) signed by the Maine Historic Preservation Commission. You do not qualify for the credit unless the appropriate copies are attached.

- C.  Check if credit is for a rehabilitation for which an affordable housing certificate has been received from the Maine State Housing Authority. Attach a copy of the certificate.

**Part A: Credit for Rehabilitation of historic properties** - for rehabilitation expenditures incurred with respect to a certified historic structure located in Maine. Complete a separate worksheet for each portion of a certified rehabilitation and for each building that is a component of a certified historic structure.

1. Enter the date the property was placed in service. \_\_\_\_\_
2. Certified qualified rehabilitation expenditures. See instructions before completing this line. ... 2. \_\_\_\_\_
3. Enter credit percentage. If box C above is checked, enter .35. Otherwise, enter .25 ..... 3. \_\_\_\_\_
4. Credit prior to limitations. Multiply line 2 by line 3..... 4. \_\_\_\_\_
5. Maximum credit ..... 5. \$5,000,000
6. Enter line 4 or line 5, whichever is less ..... 6. \_\_\_\_\_
7. Refundable credit available for this tax year. Multiply line 6 by 25% (.25). Enter result here and on Form 1120ME, Schedule C, line 2a; Form 1120B-ME, line 4d; Form 1040ME, Schedule A, line 5; Form 1041ME, Schedule A, line 2; or Form INS-4, line 19. For multiple worksheets, or if you are a member of a pass-through entity, see instructions. .... 7. \_\_\_\_\_

8. Amount of refundable credit available for the next 3 tax years:

- 2022 (2nd) tax year: Enter 25% (.25) of line 6 ..... 8a. \_\_\_\_\_
- 2023 (3rd) tax year: Enter 25% (.25) of line 6 ..... 8b. \_\_\_\_\_
- 2024 (4th) tax year: Enter 25% (.25) of line 6 ..... 8c. \_\_\_\_\_

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**Part B: Maine recapture of credit for rehabilitation of historic properties. Attach copy of Federal Form 4255.**

- 1. Original credit claimed for the rehabilitation subject to recapture ..... 1. \_\_\_\_\_
- 2. Recapture percentage from federal Form 4255, line 15..... 2. \_\_\_\_\_
- 3. Recapture amount (line 1 multiplied by line 2) ..... 3. \_\_\_\_\_
- 4. Unused credit for this project (if this line is greater than line 3, there is no recapture tax) ... 4. \_\_\_\_\_
- 5. Additional tax (line 3 minus line 4 - enter here and on Form 1120ME, line 6b, Form 1040ME, line 20a, Form 1041ME, Schedule A, line 1 or include in the amount of Form 1120B-ME, line 3b or Form INS-4, line 16 ..... 5. \_\_\_\_\_

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**Note:** MRS may request additional information supporting the credit claimed before the return can be processed.

### General Instructions

This worksheet may be used only for qualified rehabilitation expenditures associated with a certified historic structure located in Maine. The credit is fully refundable over four years.

#### Certified Qualified Rehabilitation Expenditures:

The term certified qualified rehabilitation expenditures means qualified rehabilitation expenditures, as defined by the IRC, § 47(c)(2), made on or after January 1, 2008. For small rehabilitations (see box B on page 1), qualified rehabilitation expenditures do not include a requirement that the certified historic structure be substantially rehabilitated.

#### Certified Historic Structure:

For purposes of the credit, a certified historic structure is a structure certified by either the Maine Historic Preservation Commission or the National Park Service, whichever is applicable. A certified historic structure is a building (and its structural components) that is: **1)** individually listed in the National Register of Historic Places; or **2)** located in a Registered Historic District and certified by either the Secretary of the Interior or the Maine Historic Preservation Commission as being of historic significance to the district. If a federal credit is being claimed with respect to the rehabilitation of the historic structure, only the Secretary of the Interior may certify the structure as being of historic significance to a Registered Historic District. Also, the United States, Department of the Interior, National Park Service must issue a determination on or before December 31, 2025 that the proposed rehabilitation of that structure meets the Interior’s standards for rehabilitation, with or without conditions. If a federal credit is not being claimed (box B is checked), the Maine Historic Preservation Commission must certify that the structure is of historic significance to a Registered Historic District and must issue a determination on or before December 31, 2025 that the structure meets the Secretary of the Interior’s standard for rehabilitation, with or without conditions.

#### Credit Amount:

The credit is equal to one of the following:

- 1) Federal credit claimed.** If a federal credit is claimed under § 47 of the Internal Revenue Code for the certified rehabilitation, the Maine credit is equal to 25% of the certified qualified rehabilitation expenditures. The credit is equal to 35% of certified qualified rehabilitation expenditures if the rehabilitation is certified as an affordable housing project by the Maine State Housing Authority.\* The Maine credit must be claimed in the same tax year as the federal credit.

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**Instructions, continued**

**2) Small project credit; federal credit not claimed.** If a federal credit is not claimed for the certified rehabilitation and the amount of certified qualified rehabilitation expenditures is at least \$50,000 and not more than \$250,000 for the period beginning on or after January 1, 2008 with respect to the certified historic structure, the Maine credit is equal to 25% of the certified qualified rehabilitation expenditures that would have qualified for the federal credit under IRC § 47 if a federal credit had been claimed, excluding the requirement that the certified historic structure be substantially rehabilitated. The credit must be claimed in the year the rehabilitated structure is placed in service. The credit is equal to 35% of the certified qualified rehabilitation expenditures if the rehabilitation is certified as an affordable housing project by the Maine State Housing Authority.\*

\*A certified affordable housing project that does not remain an affordable housing project for 30 years from the date the property is placed in service is subject to the repayment provisions of 30-A M.R.S. § 4722(1)(DD).

**Pass-through entities:** In the case of pass-through entities (such as partnerships, LLCs, S corporations and trusts), the partners, members, shareholders, beneficiaries or other owners are allowed a credit either in proportion to their respective interests in the entity or in accordance with an executed agreement.

**Specific Line Instructions**

Enter the taxpayer name and employer identification number (“EIN”) or social security number (“SSN”). Also enter the beginning and ending dates of the tax year to which the credit worksheet relates.

Check the boxes that apply on lines A, B, and C. Check box B only if a federal credit is not claimed with respect to the certified rehabilitation and the amount of certified qualified rehabilitation expenditures is at least \$50,000 but not more than \$250,000 for the period beginning on or after January 1, 2008 with respect to the certified historic structure. If box B is checked and you do not have an approved small project rehabilitation certification application from the Maine Historic Preservation Commission, attach an explanation as to why the certified rehabilitation has not been approved.

**Note:** If box A is checked and the federal credit is subsequently amended, the Maine credit must also be amended. If box B is checked and the final certification is later denied by the Maine Historic Preservation Commission, the Maine credit is disallowed for any tax year in which it is claimed and, if necessary, an amended Maine return must be filed.

**Part A: Credit for Rehabilitation of Historic Properties - Calculation**

**Note:** Complete a separate worksheet for each portion of a certified rehabilitation and for each building that is a component of a certified historic structure. Add the amounts from line 7 on each completed worksheet to determine your total available credit.

**Line 2.** If box A is checked, enter on this line certified qualified rehabilitation expenditures incurred with respect to a certified historic structure located in Maine for which a federal credit is claimed (from federal Form 3468, lines 11f and 11g). If box B is checked, enter the expenditures that would have been considered qualified rehabilitation expenditures under IRC § 47(c)(2) had a federal credit been claimed (excluding the requirement that the certified historic structure be substantially rehabilitated) for a certified historic structure placed in service in Maine during the tax year. If box B is checked, the aggregate amount of certified qualified rehabilitation expenditures that may be claimed on line 2 for all tax years is, for the period beginning on or after January 1, 2008, limited to expenditures of at least \$50,000 and not more than \$250,000 with respect to the certified historic structure. The small project credit does not apply with respect to expenditures incurred before January 1, 2008.

**Line 5.** The credit for the portion of the certified rehabilitation or for the building that is a component part of a certified historic structure for which a credit is claimed on this worksheet is limited to \$5,000,000. The amount on line 4 in excess of \$5,000,000 may not be carried back or forward to any other tax year.

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**Instructions, continued**

**Lines 7 & 8.** The credit amount on line 6 is refundable over four years, beginning with the tax year the credit amount is calculated. **Save copies of the worksheet to submit with your returns for the subsequent tax years.**

For members of pass-through entities, multiply the amount on line 6 by your ownership percentage prior to calculating the amount on line 7.

**Part B: Maine Recapture of Credit for Rehabilitation of Historic Properties**

The credit for rehabilitation of historic properties is subject to the same recapture provisions as apply to a credit received under IRC § 47. Follow the instructions to calculate the amount of the Maine recapture. This recapture requirement is in addition to the recapture provisions administered by the Maine State Housing Authority under 30-A M.R.S. § 4722(1)(DD) related to affordable housing projects.

**Note:** Complete the worksheet only for the tax year the property is placed in service and do not complete a new worksheet in subsequent tax years. For instance, submit the 2021 worksheet with the 2021 tax return and save copies of the 2021 worksheet to submit with your 2022, 2023, and 2024 tax returns.