NYC-9.5UTX
Finance

CLAIM FOR REAP CREDIT APPLIED TO THE UTILITY TAX

2011

ATTACH TO FORM NYC-UXRB, NYC-UXP, or NYC-UXS

▼ Print or Type ▼

For CALENDAR YEAR 2011 or FISCAL YEAR beginning _____ **2011 and ending** _____

Name as shown on NYC-UXRB, NYC-UXP OR NYC-UXS:

EMPLOYER IDENTIFICATION NUMBER:

FEDERAL BUSINESS CODE:

Filing Period for which claim is made:

SOCIAL SECURITY NUMBER:

Date ended. Month: _____ , Year: _____

RELOCATION AND EMPLOYMENT ASSISTANCE PROGRAM (REAP) CREDIT
ATTACH ANNUAL CERTIFICATE OF ELIGIBLE AGGREGATE EMPLOYMENT SHARES RECEIVED FROM NYC DEPARTMENT OF FINANCE

SECTION I - Credit applied against Utility Tax for the last tax period of the calendar year

Schedule A   Nonrefundable Credit

1. Current period's tax, including sales tax addback if applicable (NYC-UXRB, Schedule A, line 24; NYC-UXP,
   Schedule A, line 19; or NYC-UXS, Schedule A,line 14) .... **1.**
2. Computation of current year's credit:
   number of eligible aggregate employment shares: _____ X applicable amount (see instructions) .... **2.**
3. If line 2 is greater than line 1, enter the difference and skip lines 4 through 7. Transfer amount on line 1 to line 9 .... **3.**
4. If line 2 is less than line 1, enter the difference .... **4.**
5. Total carryover credits from prior calendar years (line 8f, column A below) (see instructions for Carryover Schedule)................. **5.**
6. Amount of carryover credit that may be carried over to the current period. Enter lesser of line 4 or line 5 .... **6.**
7. Total allowable credit for current period. Sum of the current year credit plus the applicable carryover from
   prior years. Add lines 2 and 6. Go to line 9 .... **7.**

REAP carryover schedule *You may not carry over the 5th preceding year's credit to tax periods in the next calendar year.*	**COLUMN A** CARRYOVER TO CURRENT PERIOD (unused credit)	**COLUMN B** APPLIED	**COLUMN C** CARRYOVER TO NEXT PERIOD (column A minus column B)
8a. Carryover from 5th preceding year .... **8a.**			
8b. Carryover from 4th preceding year .... **8b.**			
8c. Carryover from 3rd preceding year .... **8c.**			
8d. Carryover from 2nd preceding year............... **8d.**			
8e. Carryover from 1st preceding year .... **8e.**			
8f. Total .... **8f.**			

9.   Allowable nonrefundable REAP credit for current period (amount from line 1 or line 7, whichever is less)................................. **9.**

Schedule B   Refundable Credit

Refundable Credit applied against Utility Tax

10. COMPUTATION OF REFUNDABLE CREDIT
    Number of eligible aggregate employment shares: _____ X $3,000. .... **10.**

TOTAL of Nonrefundable and Refundable Credits

11. Line 9 plus line 10. Enter on Form NYC-UXRB, Schedule A, line 25a; Form NYC-UXP, Schedule A, line 20a;
    or Form NYC-UXS, Schedule A, line 15a, whichever applies. .... **11.**

SECTION II - Nonrefundable Credit applied against Utility Tax for tax periods other than the last tax period of the calendar year

1. Current period's tax, including sales tax addback if applicable (NYC-UXRB,
   Schedule A, line 24; NYC-UXP, Schedule A, line 19; or NYC-UXS, Schedule A,line 14) .... **1.**
2. Total carryover credits from prior calendar years (line 4f, column A below) .... **2.**
3. Amount of carryover credit that may be carried over to the current period. Enter lesser of line 1 or line 2....................... **3.**
   Enter on Form NYC-UXRB, Schedule A, line 25a, Form NYC-UXP, Schedule A, line 20a, or Form NYC-UXS, Schedule A, line 15a, whichever applies.

■ Enter in column B (the applied column) the amount applied to the current period from each carryover year starting with the 5th preceding carryover year until the total agrees with the amount on line 3.

REAP carryover schedule	**COLUMN A** CARRYOVER TO CURRENT PERIOD (unused credit)	**COLUMN B** APPLIED	**COLUMN C** CARRYOVER TO NEXT PERIOD (column A minus column B)
4a. Carryover from 5th preceding year .... **4a.**			
4b. Carryover from 4th preceding year .... **4b.**			
4c. Carryover from 3rd preceding year .... **4c.**			
4d. Carryover from 2nd preceding year .... **4d.**			
4e. Carryover from 1st preceding year................. **4e.**			
4f. Total .... **4f.**			

General Information

The first calendar year for which REAP credits are available against the Utility Tax is 1999.

REAP benefits are available only to taxpayers that have previously applied to the New York City Department of Finance and received a Certificate of Eligibility.

If you have relocated more than once, attach a schedule showing your apportionment of eligible aggregate employment shares to each relocation. See Administrative Code §11-1105.2(a).

In order for a vendor of Utility Services to take a REAP credit against the Utility Tax, it must elect to do so at the time of submission of its REAP application to the Department of Finance. Any Vendor of Utility Services that has qualified for REAP but has not so elected, must take its credit against the General Corporation Tax, the Unincorporated Business Tax or the Bank Tax, whichever is applicable.

You must attach your annual certificate of eligible aggregate employment shares (ACEAES) received from the New York City Department of Finance and your initial Certificate of Eligibility for each relocation for which you are claiming credit.

A REAP credit that is earned in a given calendar year may be taken in that year only on the return for the last tax period of the year against the tax due for that period.

A carryover credit from a preceding year may be taken on the return for any tax period in a calendar year including the last period.

A separate Form NYC-9.5UTX must be filled out and attached to the appropriate Utility Tax return for any tax period for which a REAP Credit is claimed. For the last tax period of a calendar year, complete only section I. For any other tax period, complete only Section II.

Specific Instructions

Section 1

The credit is **non-refundable** unless **all of the three criteria listed below are met**. For relocations where the credit is non-refundable fill out lines 1 through 9 of this section and not line 10. If all of the three criteria are met the credit is **refundable**. If the credit is refundable, skip lines 1 through 9 and fill out line 10.

The non-refundable REAP credit for the last tax period of the calendar year is limited to the tax imposed for such period. It must be taken before all other credits. If the allowable non-refundable portion of the credit exceeds the tax imposed for the period, the excess may be carried over to tax periods in the five immediately succeeding taxable years and, to the extent not previously utilized, may be credited against the taxpayer's tax for such periods.

Schedule A

Line 2

If you submitted your application before July 1, 2003 the applicable amount is based on the **date of the certification of eligibility**. If you submitted your

application on or after July 1, 2003 the applicable amount is based on the **date of relocation**. In completing line 2, use the appropriate applicable amount below:

If you **submitted your application before July 1, 2003,** the applicable amount is $1,000 **if either** your **certification of eligibility** for REAP **is dated before July 1, 2000, or** your **relocation** was **not** to a revitalization area (as defined in subdivision (n) of section 22-521 of the New York City Administrative Code.)

If you **submitted your application before July 1, 2003,** the applicable amount is $3,000 **if both** your **certification of eligibility** for REAP is **dated on or after July 1, 2000 and** your **relocation** was to a revitalization area.

If **you submitted your application on or after July 1, 2003,** the applicable amount is $1,000 **if your relocation was before July 1, 2000, or** was **not** to a revitalization area. If **you submitted your application on or after July 1, 2003,** the applicable amount is $3,000 **if your relocation was on or after July 1, 2000 and was** to a revitalization area.

Line 3

The amount on line 3 represents the amount of your REAP credit that you can carry forward to taxable periods in the next five calendar years. Enter this amount on line 4e of Section II of your Form NYC 9.5UTX for your first taxable period in the next calendar year.

The credit is refundable only if all of the following three criteria are met:
1. the initial Certification of Eligibility must be dated on or after July 1, 2000;

2. the relocation must be to eligible premises located in a "Revitalization Area" as defined in subdivision (n) of §22-621 of the New York City Administrative Code;

3. the calendar year for which the credit is being claimed must be either the year of the relocation or one of the four taxable years immediately succeeding the year of the relocation.

Instructions - REAP Carryover Schedules

If you have carryover credits from preceding years, complete the applicable carryover schedule regardless of whether you will carry over credits to the current period. Enter on each line in column B the amount applied to the current period from each carryover year starting with the earliest preceding carryover year (line 8a or 4a, whichever applies) that can be applied to the current period. The total amount of carryover credits applied to the current period, column B, line 8f or 4f, whichever applies, cannot exceed the amount on Section I, line 6 or Section II, line 3, whichever applies.

Section II

No refundable credits are allowed in any period other than the last period of the calendar year.

The amount of credit allowable for any taxable period other than the last period of the calendar year is limited to the tax imposed for such period.