**NYC - 9.8UTX**
Department of Finance

**CLAIM FOR LOWER MANHATTAN RELOCATION EMPLOYMENT ASSISTANCE PROGRAM (LMREAP) CREDIT APPLIED TO THE UTILITY TAX**

**2016**

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

▼ PRINT OR TYPE ▼

**For CALENDAR YEAR 2016 or FISCAL YEAR beginning _____ 2016 and ending _____**

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

Filing Period for which claim is made ▼

Date ended: month: _____ , year: _____

EMPLOYER IDENTIFICATION NUMBER

FEDERAL BUSINESS CODE:

SOCIAL SECURITY NUMBER

**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

If credit is refundable, fill in lines 1 and 11 and skip lines 2 through 10 of this section.
If credit is non-refundable, skip line 1 and fill in lines 2 through 11 of this section.

**Schedule A**  **Refundable Credit**

1. COMPUTATION OF REFUNDABLE CREDIT
   Number of eligible aggregate employment shares: _____ X $3,000. ........................................... 1.

**Schedule B**  **Nonrefundable Credit**

2. Current period's tax, including sales tax addback if applicable, less the REAP credit (see instructions).........................2.
3. Computation of current year's credit:
   (number of eligible aggregate employment shares: _____ X $3,000) ............................................. 3.
4. If line 3 is greater than or equal to line 2, enter the difference or zero and skip lines 5 through 8.  Transfer amount on line 2 to line 10...... 4.
5. If line 3 is less than line 2, enter the difference  ..................................................................5.
6. Total carryover credits from prior calendar years (line 9f, column A below) (see instructions for Carryover Schedule) ........... 6.
7. Amount of carryover credit that may be carried over to the current period. Enter lesser of line 5 or line 6  ............................. 7.
8. Total allowable credit for current period.  Sum of the current year credit plus the applicable carryover from prior years.
   Add lines 3 and 7.  Go to line 10 ............................................................................ 8.

| **LMREAP carryover schedule** <br> *You may not carry over the 5th preceding year's credit to tax periods in the next calendar year.* | **COLUMN A** <br> CARRYOVER TO CURRENT PERIOD <br> (unused credit) | | **COLUMN B** <br> APPLIED | | **COLUMN C** <br> CARRYOVER TO NEXT PERIOD <br> (column A minus column B) | |
|---|---|---|---|---|---|---|
| 9a. Carryover from 5th preceding year ................ 9a. | | | | | | |
| 9b. Carryover from 4th preceding year ................ 9b. | | | | | | |
| 9c. Carryover from 3rd preceding year ................ 9c. | | | | | | |
| 9d. Carryover from 2nd preceding year ............... 9d. | | | | | | |
| 9e. Carryover from 1st preceding year ................ 9e. | | | | | | |
| 9f. Total ........................................... 9f. | | | | | | |

10. Allowable nonrefundable LMREAP credit for current period (amount from line 2 or line 8, whichever is less) .......... 10.

**Credit**

11. Line 1 or line 10.  Enter on Form NYC-UXRB, Schedule A, line 25b; Form NYC-UXP, Schedule A, line 20b;
    or Form NYC-UXS, Schedule A, line 15b, 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. Enter on Form NYC-UXRB,
   Schedule A, line 25b, Form NYC-UXP, Schedule A, line 20b, or Form NYC-UXS, Schedule A, line 15b, whichever applies ..... 3.

→ 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.

| **LMREAP carryover schedule** | **COLUMN A** <br> CARRYOVER TO CURRENT PERIOD <br> (unused credit) | | **COLUMN B** <br> APPLIED | | **COLUMN C** <br> CARRYOVER TO NEXT PERIOD <br> (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. | | | | | | |

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# GENERAL INFORMATION

The first calendar year for which LMREAP credits are available against the Utility Tax is 2003. The first calendar year for which a non-refundable credit is possible is 2008.

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

In order for a vendor of Utility Services to take a LMREAP credit against the Utility Tax, it must elect to do so at the time of submission of its LMREAP application to the Department of Finance. Any Vendor of Utility Services that has qualified for LMREAP 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 LMREAP 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-9.8UTX must be filled out and attached to the appropriate Utility Tax return for any tax period for which a LMREAP 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 I*

**The credit is refundable if** the calendar year for which the credit is being claimed is either the year of the relocation or one of the four taxable years immediately succeeding the year of the relocation. For example, if the year of relocation is the calendar year 2004, the credit will be refundable for the last tax period in calendar years 2004 through 2008.

**No refundable credits are allowed in any period other than the last tax period of the calendar year. If the credit is refundable, fill out lines 1 and 11 and skip lines 2 through 10.**

The credit is **non-refundable** for later calendar years. For example, if the year of relocation is the calendar year 2004, the credit will be nonrefundable for all periods in the calendar

years 2009 and thereafter. For relocations where the credit is non-refundable fill out lines 2 through 11 of this section and not line 1.

**The non-refundable LMREAP credit** for the last tax period of the calendar year is limited to the tax imposed for such period less the REAP credit. It must be taken after the REAP credit but before all other credits. If the allowable non-refundable 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.

**Line 2**
Enter here the appropriate amount:

*Filers of Form NYC-UXRB --*
Schedule A, line 24 less line 25a
*Filers of Form NYC-UXP --*
Schedule A, line 19 less line 20a
*Filers of Form NYC-UXS --*
Schedule A, line 14 less line 15a

**Line 4**
The amount on line 4 represents the amount of your LMREAP credit that you can carry forward to the next five taxable years and apply against the tax for such years. If line 3 is equal to line 2 enter zero on line 4 and skip lines 5 through 8. Enter the amount from line 4 on line 4e of Section II of your next year's Form NYC 9.8UTX.

## *Section II*

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.

**Instructions – LMREAP Carryover Schedules. Sections I and II**

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 from each carryover year starting with the earliest preceding carryover year that can be applied to the current period. The total amount of carryover credits applied to the current period, column B, line 9f or 4f, whichever applies, cannot exceed the amount on Section I, line 7 or Section II, line 3, whichever applies.