

# Annual Low-Income Housing Credit Agencies Report

► Under section 42(l)(3) of the Internal Revenue Code

# 1996

|   |   |   |
|---|---|---|
| Name and address of housing credit agency | Employer identification number of agency<br>:                   |   |
|   | Number of:  |   |
|   | Forms 8609 attached   | Section 42(h)(1)(E) and (F) allocating documents attached |
|   | <b>Check box if amended report</b> . ► <input type="checkbox"/> |   |

|  |           |
|--|-----------|
| <b>1</b> State housing credit ceiling available for allocations during 1996 (see instructions):  |           |
| <b>a</b> \$1.25 multiplied by the state population . . . . .   | <b>1a</b> |
| <b>b</b> Unused state housing credit ceiling (if any) for 1995 . . . . .   | <b>1b</b> |
| <b>c</b> Amount of state housing credit ceiling returned in 1996 from prior years' allocations made after 1989 . . . . .   | <b>1c</b> |
| <b>d</b> Amount (if any) allocated to the state from the 1996 National Pool . . . . .  | <b>1d</b> |
| <b>e Total state housing credit ceiling.</b> Add lines 1a through 1d . . . . .   | <b>1e</b> |
| <b>2</b> Aggregate dollar amount of housing credit allocations issued during 1996 . . . . .  | <b>2</b>  |
| <b>3</b> Unused state housing credit ceiling from 1996 for carryover to 1997 ([line 1a plus line 1c] minus line 2.) If the amount is less than zero, enter -0- . . . . .         | <b>3</b>  |
| <b>4</b> Unused housing credit carryover assigned for use in the 1997 National Pool (line 1b minus [the excess (if any) of line 2 over the sum of line 1a and line 1c]). . . . . | <b>4</b>  |
| <b>5</b> Aggregate dollars allowed to tax-exempt bond financed projects under section 42(h)(4) (see instructions) . . . . .  | <b>5</b>  |
| <b>6</b> Portion of state housing credit ceiling allocated to qualified nonprofit organizations (see instructions) . . . . .   | <b>6</b>  |

Under penalties of perjury, I declare that I have examined this report and accompanying forms, allocating documents, binding agreements, and election statements, and to the best of my knowledge and belief, they are true, correct, and complete.

|                                   |                      |      |
|-----------------------------------|----------------------|------|
| Signature of Authorizing Official | Print Name and Title | Date |
|-----------------------------------|----------------------|------|

## Paperwork Reduction Act Notice

We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on

individual circumstances. The estimated average time is:

- Recordkeeping** . . . . . 4 hr., 32 min.
- Learning about the law or the form** . . . . . 1 hr.
- Preparing and sending the form to the IRS** . . . . . 1 hr., 7 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001.

**DO NOT** send Form 8610 to this office. Instead, see **Where To File** on page 2.

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

## Purpose of Form

Form 8610 is used by housing credit agencies to transmit **Form(s) 8609**, Low-Income Housing Credit Allocation Certification, (including Form(s) 8609 issued for allocations under sections 42(h)(1)(E) and 42(h)(1)(F)), sections 42(h)(1)(E) and 42(h)(1)(F) allocating documents, and applicable section 42(b)(2)(A)(ii) binding agreements and election statements to the IRS. In addition, Form 8610 is used to report the dollar amount of housing credit allocations issued during the calendar year. The housing credit agency must not allocate more credits than it is authorized to allocate during the calendar year.

Generally, the state housing credit ceiling for any state is the sum of:

- 1.** \$1.25 multiplied by the state's population,

2. The unused state housing credit ceiling (if any) for the preceding calendar year,

3. The amount of state housing credit ceiling credits returned in the year (from prior years' allocations made after 1989), **plus**

4. The amount (if any) allocated to the state from the National Pool.

See Regulations section 1.42-14 for more information.

## Who Must File

Any housing credit agency authorized to make an allocation of the credit (even if no credit is actually allocated) on a Form 8609 or on a section 42(h)(1)(E) or section 42(h)(1)(F) allocating document to an owner of a qualified low-income building during the calendar year must complete and file Form 8610. In states with multiple housing credit agencies (including states with constitutional home rule cities), the agencies must coordinate and file one Form 8610.

If a housing credit agency has granted any project relief for carryover allocations discussed in section 5 of Rev. Proc. 95-28, 1995-1 C.B. 704, the agency must attach to Form 8610 a list of the projects for which it has approved relief. The housing credit agency should list only those projects that had received its approval of the carryover allocation relief since the agency last filed Form 8610.

The housing credit agency must keep a copy of Form 8610 (including any amended Form 8610) for its records.

## When To File

File Form 8610 with accompanying Forms 8609 (with only Part I completed), sections 42(h)(1)(E) and 42(h)(1)(F) allocating documents, and applicable binding agreements and election statements by **February 28** following the calendar year for which an allocation of credit is made.

## Where To File

File Form 8610 and applicable forms, documents, agreements, and statements with the **Internal Revenue Service Center, Philadelphia, PA 19255**.

## Penalty

The \$100 penalty under section 6652(j) applies to any failure to file Form 8610 when due.

## Specific Instructions

Please attach forms in this order: Form 8610 on top, followed by Forms 8609, section 42(h)(1)(E) and (F) allocating documents, applicable binding agreements and election statements, and the listing of projects for which you have approved relief for carryover allocations.

### Amended Reports

If this is an amended Form 8610, check the "amended report" box. Use the same version of the form that was originally filed (i.e., a 1995 Form 8610 to amend the 1995 report, a 1994 Form 8610 to amend the 1994 report, etc.).

Complete only those lines that are being amended by entering the correct information. Attach any additional documentation to explain why an amended Form 8610 is being filed.

**Line 1a.**—A state's population is determined according to section 146(j). See Rev. Proc. 96-27, 1996-1 C.B. 685, for state population figures and Notice 94-16, 1994-1 C.B. 337, for U.S. possessions population figures to use for calculating the 1996 calendar year population-based component on line 1a.

**Line 1b.**—Enter the amount shown on line 3 of the 1995 Form 8610.

**Line 1c.**—Do not include on this line allocations made during the year from line 1a, 1b, or 1d and returned in the same year. These amounts are included in lines 1a, 1b, and/or 1d.

**Line 1d.**—If your state is a qualified state listed in Rev. Proc. 96-51, 1996-47 I.R.B. 10, enter the "Total Amount" published for your state. If your state is not listed in Rev. Proc. 96-51, enter zero.

**Line 1e.**—Enter the state housing credit ceiling available for allocations during 1996. This is the sum of the amounts shown on lines 1a through 1d.

**Line 2.**—Enter the aggregate housing credit dollar amount actually allocated during 1996. To figure this, total the amounts on all Forms 8609, Part I, line 1b (allocated from the state housing credit ceiling for 1996) with amounts allocated on sections 42(h)(1)(E) and 42(h)(1)(F) allocating documents completed during 1996.

**Note:** Do not include in this total aggregate credit dollars allowed to tax-exempt bond financed projects under section 42(h)(4) if such dollars do not come out of the total state housing credit ceiling authorized in line 1e. These dollar amounts are included on line 5.

Do not include on this line housing credit dollar amounts allocated and returned during the year **unless** such amounts are reallocated by the close of 1996.

The amount on line 2 cannot exceed the amount on line 1e.

**Line 3.**—The unused state housing credit ceiling is determined by adding lines 1a and 1c and subtracting line 2.

**Line 4.**—The unused housing credit carryover is assigned for use in the 1997 National Pool. This amount is determined by subtracting from line 1b the excess (if any) of line 2 over the sum of lines 1a and 1c.

**Line 5.**—Enter the aggregate credit dollars allowed to tax-exempt bond financed projects under section 42(h)(4). Do not include any amounts from the total state housing credit ceiling on line 1e.

**Line 6.**—Enter the aggregate housing credit dollar amount allocated during 1996 from line 1e to qualified nonprofit organizations under section 42(h)(5).

