

SCHEDULE U Additional Miscellaneous Credits and Contributions



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Vendor ID#0000

Important: Print in CAPITAL letters using black ink. Attach to D-40.
NOTE: Contribution(s) will either decrease a refund or increase the tax owed by the amount of the contribution(s).

Enter your last name Taxpayer Identification Number (TIN)

Part I Credits

a. Non-refundable Credits

1 Enter state income tax credit. List additional states on a separate sheet, attach it to this Schedule.
(Enter total of all state tax credits on Line 2 below.)

State (a) \$.00 (b) \$.00
State (c) \$.00 (d) \$.00

2 Total of Line 1 state tax credits and any additional tax credits from the attachments. 2 \$.00

3 Enter alternative fuel credits, see instructions. \$.00
3(a) Alternative fuel infrastructure - private residence. # of stations \$.00
3(b) Alternative fuel infrastructure - public use. # of stations \$.00
3(c) Alternative fuel vehicle conversion. # of vehicles \$.00

4 Total of Line 3 alternative fuel credits. Add Lines 3(a) - 3(c) only and enter here. 4 \$.00

5 DC Low-Income Housing Tax Credit. See reverse page. 5 \$.00

6 RESERVED 6 \$.00

7 Total your non-refundable credits, enter here and on Form D-40, Line 22. 7 \$.00

b. Refundable Credits

1 DC Non-custodial parent EITC. See Schedule N. 1 \$.00

2 Keep Child Care Affordable Tax Credit. See Schedule ELC. 2 \$.00

3 Total your refundable credits, enter here and on Form D-40, Line 29. 3 \$.00

Part II Contributions (The minimum contribution is \$1.00.)

1 DC Statehood Delegation Fund. 1 \$.00

2 Taxpayer Support for Afterschool Programs for At-Risk Students. 2 \$.00

3 Anacostia River Cleanup and Protection Fund. 3 \$.00

4 RESERVED 4 \$.00

5 Total your contributions, enter here and on Form D-40, Line 41. 5 \$.00

If you are not due a refund and do not owe tax, you may still make contributions. Total your contributions and enter on Form D-40, Line 41
If you owe tax, make the payment plus any contributions, payable to the DC Treasurer and mail it with your return.

Attach this schedule to your D-40 Return.

DISTRICT OF COLUMBIA LOW-INCOME HOUSING TAX CREDIT

The federal Low-Income Housing Tax Credit (LIHTC) was established by the Tax Reform Act of 1986 and is a dollar-for-dollar tax credit for federal taxpayers who invest in the construction and rehabilitation of housing for low and moderate-income individuals and families in the United States.

Pursuant to the District of Columbia Low-Income Housing Tax Credit Clarification Amendment Act of 2020, (D.C. Law 23-149, § 7201), the District of Columbia has also acted to establish a low-income housing tax credit for qualified projects located in the District of Columbia. Effective October 1, 2020, a “qualified project” means a rental housing development in the District that receives an allocation of federal low-income housing tax credits under IRC §42(h)(1) or IRC §42(h)(4) after October 1, 2021, and receives an executed extended low-income housing commitment pursuant to IRC §42(h)(6)(B) from the District of Columbia Department of Housing and Community Development (DHCD) dated on or after October 1, 2021.

The District of Columbia low-income housing tax credit (DC LIHTC) can be taken against income tax, franchise tax, and insurance premium tax. The credit can be claimed equally for 10 years and subtracted from the amount of District tax otherwise due for each taxable period. The credit cannot be taken against any tax that is dedicated in whole or in part to the Healthy DC and Health Care Expansion Fund established by DC Code §31-3514.02.

The credit is not refundable, but any amount of the credit that exceeds the tax due for a taxable year can be carried forward to any of the 10 remaining subsequent taxable years. The owner of a qualified project eligible for the District low-income housing tax credit must submit a copy of the eligibility statement issued by the Department of Housing and Community Development with respect to the qualified project at the time of filing the project owner's DC tax return. If the eligibility statement is not attached, no credit will be allowed with respect to such qualified project for that year until the copy is provided to the Office of Tax and Revenue.

All or any portion of District low-income tax credits may be transferred, sold, assigned, or allocated to parties who are eligible pursuant to Chapter 48 of Title 47 of the District of Columbia Official Code. There is no limit on the total number of allocations of all or part of the total credit authorized. Collectively, all transfers, sales, assignments, and allocations are subject to the maximum credit allowable to a particular qualified project. A tax credit earned or purchased by, or transferred or assigned to, a partnership, limited liability company, S corporation, or other pass-through entity may be allocated to the partners, members, or shareholders in accordance with the provisions of any agreement among the partners, members, or shareholders and without regard to the ownership interest of the partners, members, or shareholders in the qualified project. A partner, member, or shareholder to whom a tax credit is allocated may further allocate all or part of the allocated credit or may transfer, sell, or assign the allocated credit. Collectively all transfers, sales, assignments, and allocations are subject to the maximum credit allowable to a particular qualified project.

An owner, transferee, purchaser, assignee, or taxpayer to whom a credit is allocated desiring to make a transfer, sale assignment or allocation must submit to the CFO and the Commissioner of the Department of Insurance, Securities, and Banking (Commissioner) a statement that describes the amount of District low-income housing tax credit for which such transfer, sale, assignment, or allocation of District credit is eligible. The owner, transferor, seller, assignor, or taxpayer must provide to the CFO and the Commissioner appropriate information so that the low-income housing tax credit can be properly allocated.

The District low-income housing tax credit can be recaptured if the owner fails to submit a copy of the eligibility statement issued by the Department with respect to the qualified project at the time of filing the return, or, if under IRC §42, a portion of any federal low-income tax credits taken on a low-income qualified project is required to be recaptured. If a recapture is required, any statement submitted to the CFO as required by DC Code §47-4806(b) must include the proportion of the credit required to be captured, the identity of each transferee subject to recapture, and the amount of credit previously transferred, sold, assigned, or allocated to such transferee, purchaser, assignee, or taxpayer to whom a credit is allocated.

Except for unused credits carried forward and for credits claimed under regulations promulgated by the Department consistent with the special rule set forth in IRC §42, a qualified District of Columbia project is not eligible for any District tax credits for more than 11 taxable years.

Claiming the Credit

The DC Low-Income Housing Tax Credit can only be claimed for buildings allocated a credit after October 1, 2021. To claim the DC Low-Income Housing Tax credit on a District tax return, the owner/transferor/transferee of a project credit must file with the return:

- a copy of the DC LIHTC Eligibility Statement Letter from DHCD;
- properly executed Forms D-8609, D8609A, D8609DS; and
- Schedule U.

Failure to attach these documents will result in disallowance of the credit. Do **NOT** submit a claim for any property for which a Federal Form 8609 has not been issued.

See DC Code §47-4801 through 4812. For more information about the DC low-income housing tax credit approval process and qualified projects, contact DHCD at (202) 442-7200 or visit dhcd.dc.gov.