



# 2011 MICHIGAN INDIVIDUAL INCOME TAX BOOK

## FORMS AND INSTRUCTIONS

**WWW.MIFASTFILE.ORG**



- ✦ E-filing your return is easy, fast, and secure!
- ✦ Two-thirds (over 3.5 million) of all Michigan taxpayers choose e-file.
- ✦ E-file returns are usually processed within 14 business days (see page 3). Please allow 14 days before checking the status of your e-filed return.
- ✦ Tax preparers who complete 11 or more Michigan Individual Income Tax returns are required to e-file all eligible returns supported by their software (see page 3).
- ✦ Free e-file is available. Do you qualify?
- ✦ Visit the Michigan Department of Treasury Web site at **www.Mifastfile.org** for a list of e-file resources, how to find an e-file provider, and more information on free e-file services.

**FILING DUE DATE:  
APRIL 17, 2012**

**WWW.MICHIGAN.GOV/TAXES**

# Help With Your Taxes

## **New for 2012**

Significant income tax changes take effect for 2012 and these changes may require some taxpayers to begin making estimated payments. Visit [www.michigan.gov/treasury](http://www.michigan.gov/treasury) to find information on the following changes that may affect you: (1) Changes to special exemption allowances, (2) Changes in taxation of pension benefits, (3) Changes to Homestead Property tax credit, (4) Elimination and adjustments to most other credits, and (5) Changes to business income apportionment.

## **Self Service Options**

The Michigan Department of Treasury (Treasury) offers a variety of services designed to assist you, and most are available 24 hours a day, seven days a week.

**IMPORTANT:** To obtain information about your account using the Internet and Telephone Options listed below, you will need the following information from your return:

- Social Security number of the primary filer (the filer listed first on the return)
- Tax year of the return
- Adjusted gross income (AGI) or household income
- Filing status (single, married filing jointly, married filing separately).

## **Internet Options**

[www.michigan.gov/incometax](http://www.michigan.gov/incometax)

Find the following information on this Web site:

- Current year forms and instructions
- Answers to many tax preparation questions
- Most commonly used tax forms
- Free assistance in preparing your return
- Other tax time resources.

[www.michigan.gov/iit](http://www.michigan.gov/iit)

This secure Web site was designed specifically to protect your personal tax information. Use this Web site to:

- Check the status of your return.
- Check estimated payments you made during the year.
- Check the status of letters you have sent to Treasury.
- Change your address.
- Ask a specific question about your account.

## **Telephone Options**

**(517) 636-4486**

### **Automated Information Service**

With Treasury's automated phone system, you can:

- Request the status of your refund.
- Request information on estimated payments.
- Order current tax year forms.

While most questions can be answered by the Automated Information Service, customer service representatives are available from 8 a.m. to 4:45 p.m., Monday through Friday.

Assistance is available using TTY through the Michigan Relay Service by calling 1-800-649-3777 or 711. Printed material in an alternate format may be obtained by calling (517) 636-4486.

## **Forms**

Find tax forms using the Internet and Telephone Options listed on this page. Commonly used forms are also available at Treasury offices (see back cover), most public libraries, Northern Michigan post offices, and Department of Human Services (DHS) county offices.



*Anytime of the night or day, go to  
**[www.michigan.gov/taxes](http://www.michigan.gov/taxes)**  
and look for these icons to help find  
answers to your questions!*

## Important Information

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### Use Tax

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Every state that has a sales tax has a companion tax for purchases made outside that state, by catalog or over the Internet. In Michigan, that companion tax is called “use tax,” but might be described more accurately as a remote sales tax because it is a 6 percent tax owed on purchases made outside of Michigan. See page 9 for more information on use tax.

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### Tax Rate, Exemption Allowances, and Pension and Interest Deductions

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The income tax rate for 2011 is 4.35 percent.

For tax year 2011, the personal exemption allowance increases to \$3,700 and the special exemptions allowance increases to \$2,400. See page 10 for more information.

For tax year 2011, pension benefits included in AGI from a private pension system or an Individual Retirement Account (IRA) are deductible to a maximum of \$45,842 for a single filer or \$91,684 for joint filers.

Senior citizens age 65 or older may be able to deduct part of their interest, dividends, and capital gains that are included in AGI. For 2011, the deduction is limited to a maximum of \$10,218 for single filers and \$20,437 for joint filers. See Schedule 1 instructions beginning on page 12 for further details regarding pension benefits and senior citizen interest deductions.

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### Small Business Investment Tax Credit (Venture Investment Credit)

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The Small Business Investment Tax Credit (Venture Investment Credit) provides Qualified Investors a 25% tax credit over a two year period on Qualified Investments in Qualified Businesses. Qualified investments must be made after December 31, 2010 and before January 1, 2012 to be eligible for the tax credit. Taxpayers eligible for this credit will have received a certificate from the Michigan Strategic Fund Board, Small Business Investment Tax Credit Program. The certificate must be attached to the taxpayer’s return. Visit [www.MichiganAdvantage.org/SBITC](http://www.MichiganAdvantage.org/SBITC) for more information.

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### Filing Extension Granted for Military Personnel Serving in a Combat Zone

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United States military personnel serving in a combat zone on April 17, 2012, will be given 180 days after leaving the combat zone to file their federal and State tax returns and will be exempt from penalties and interest. When e-filing, service men and women serving in combat zones should enter the words “*Combat Zone*” in the preparer notes. When filing a paper return, print “*Combat Zone*” in ink on the top of page 1 of the MI-1040. Visit Treasury’s Web site at [www.michigan.gov/taxes](http://www.michigan.gov/taxes) for more information.

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### Appeals of Adjusted Refunds or Credits

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Taxpayers have 60 days from the issuance of refund denials, refund adjustments, or Treasury decisions (other than final assessment), that may be appealed under Section 22 of the Revenue Act, to request informal conferences.

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### Choose e-file Instead of Paper Returns. Get Your Refund Fast!

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E-filing eliminates many of the errors that lengthen processing times. E-file returns are usually processed within 14 days. Tax preparers who complete 11 or more income tax returns are required to e-file all eligible returns. Visit Treasury’s Web site at [www.MIfastfile.org](http://www.MIfastfile.org) for a list of e-file resources, how to find an e-file provider, and more information on free e-file services.

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### Property Tax Credits/Refunds

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**A reminder from the Internal Revenue Service (IRS).** Michigan homestead property tax credit and homestead exemption refunds received in 2011 may be taxable on your 2011 U.S. Form 1040. If you claimed an itemized deduction for property taxes on your 2010 U.S. Form 1040 and then received a refund in 2011 from the State or your local unit of government for a portion of those taxes, you must include that refund as income on your 2011 U.S. Form 1040. If you have questions about the taxability (for federal tax purposes) of the refunds, call the IRS at 1-800-829-1040.

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### What You Should Know About Your Michigan 1099-G

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If you itemized deductions on your 2010 federal income tax return and received a Michigan tax refund in 2011, you will be mailed a 2011 Michigan 1099-G in early 2012 that shows the amount of your 2010 refund that was issued in 2011. The refund amount will include any amounts credited forward to 2011 estimated tax, prior year refunds issued in 2011, refund amounts intercepted for back tax assessments or other debts (such as child support or court-ordered garnishments), and any portion of a refund assigned to pay use tax or any amount you contributed as a voluntary contribution. The refund amount will not include homestead property tax credits, adoption credits, or other refundable tax credits claimed on the MI-1040. **The 1099-G IS NOT A BILL.** Visit [www.michigan.gov/taxes](http://www.michigan.gov/taxes) for more information about your Michigan 1099-G.

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### A Note About Debts

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By law, any money you owe to the State and other agencies must be deducted from your refund or credit before it is issued. Debts include money you owe for past-due taxes, student loans, child support due the Friend of the Court, an IRS levy, money due a State agency, a court-ordered garnishment, or other court orders. Taxpayers who are married, filing jointly, may receive an *Income Allocation to Non-Obligated Spouse* (Form 743) after the return is filed. Completing and filing this form may limit the portion of the refund that can be applied to a debt. If Treasury applies all or part of your refund to any of these debts, you will receive a letter of explanation.

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## Adjusted Gross Income (AGI)

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Throughout this booklet, we refer to adjusted gross income as AGI. When AGI is asked for, copy your AGI directly from your U.S. Form *1040* line 37, U.S. Form *1040A* line 21, or U.S. *1040EZ* line 4.

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## Who Must File a Return

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File a return if you owe tax, are due a refund, or your AGI exceeds your exemption allowance. You should also file a Michigan return if you file a federal return, even if you do **not** owe Michigan tax. This will eliminate unnecessary correspondence from Treasury.

- If your parents (or someone else) can claim you as a dependent on their return and your AGI is \$1,500 or less if single or married filing separately or \$3,000 or less if filing a joint return, you do not need to file a return unless you are claiming a refund of withholding.

**Important:** If your income subject to tax (MI-1040, line 14) is less than your personal exemption allowance (line 15) and Michigan income tax was withheld from your earnings, you must file a return to claim a refund of the tax withheld.

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## Renaissance Zones

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Certain Renaissance Zones, along with the tax benefits, will continue to phase out. See instructions for Schedule 1, line 15, on page 13.

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## Who Must File a Joint Return

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File a joint Michigan return if you filed a joint federal return. If you filed separate federal returns, you may file separate or joint Michigan returns. You may file a joint return only with your spouse.

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## When to File Your Return

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Always complete your federal tax return before your Michigan return. You may file a Michigan return even if you are not required to file a federal return.

Your return must be postmarked no later than April 17, 2012, to be considered timely. Payment must be included with your return. Make your check payable to “State of Michigan” and write your Social Security number(s) and “2011 income tax” on the front of the check. To avoid penalty and interest, if you owe tax, postmark no later than April 17, 2012.

If you cannot file before the due date and you owe tax, you may file an *Application for Extension of Time to File Michigan Tax Returns* (Form 4) with your payment. See page 6. If you are due a refund, you must file a return within four years of the due date to obtain the refund. Keep a copy of your return and all supporting schedules for six years.

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## Penalty and Interest Added for Filing and Paying Late

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If you file and pay late, Treasury will add a penalty of 5 percent of the tax due. After the second month, penalty will increase by an additional 5 percent per month, or fraction thereof, up to a maximum of 25 percent of the tax due. If you pay late, you must add penalty and interest to the amount due. The interest rate through June 30, 2012, is 4.25 percent. For interest rates after June 30, 2012, visit Treasury’s Web site at [www.michigan.gov/taxes](http://www.michigan.gov/taxes) or call (517) 636-4486.

# How to Complete and File Paper Returns

## Completing Michigan Forms

Treasury captures the information from paper income tax returns using an Intelligent Character Recognition (ICR) process. If completing a paper return, avoid unnecessary delays by following the guidelines below so your return is processed quickly and accurately.

- **Use black or blue ink.** Do not use pencil, red ink, or felt tip pens. Do not highlight information.
- **Print using capital letters** (UPPER CASE). Capital letters are easier to recognize.
- **Print numbers like this:** 0123456789  
Do **not** put a slash through the zero (Ø) or seven (7).
- **Fill check boxes with an [X].** Do not use a check mark.
- **Leave lines/boxes blank** if they do not apply or if the amount is zero unless otherwise directed.
- **Do not write extra numbers, symbols, or notes** on the return, such as cents, dashes, decimal points, commas, or dollar signs. Enclose any explanations on a separate sheet unless you are instructed to write explanations on the return.
- **Stay within the lines** when entering information in boxes.
- **If a form is multiple pages,** all pages must be filed.
- **Report all amounts in whole dollars.** Round down amounts of 49 cents or less. Round up amounts of 50 cents or more. If cents are entered on the form, they will be treated as whole dollar amounts.

## When You Have Finished

If the tax preparer is someone other than the taxpayer, he or she must enter the business name and address of the firm he or she represents and Preparer Tax Identification Number (PTIN), Federal Employer Identification Number (FEIN), or Social Security number (SSN). Check the box to indicate if Treasury may discuss your return with your tax preparer.

**Assemble your returns and attachments** and staple in the upper-left corner. (Do not staple your check to your return.) A sequence number is printed in the upper-right corner of the following Michigan forms to help you assemble them in the correct order behind your MI-1040:

- *Additions and Subtractions and Nonrefundable Credits* (Schedule 1/Schedule 2)
- *Nonresident and Part-Year Resident* (Schedule NR)
- *Farmland Preservation Tax Credit* (MI-1040CR-5)
- *Schedule of Taxes and Allocation to Each Agreement* (Schedule CR-5)
- *Property Tax Credit* (MI-1040CR or MI-1040CR-2)
- *College Tuition and Fees Credit* (Schedule CT)
- Federal Schedules (see Table 4, page 47)
- *Schedule of Apportionment* (MI-1040H)
- *Qualified Adoption Expenses* (MI-8839)
- *Underpayment of Estimated Income Tax* (MI-2210)
- *Withholding Tax* (Schedule W)
- *Adjustments of Capital Gains and Losses* (MI-1040D)
- *Sales and Other Dispositions of Capital Assets* (MI-8949)
- *Adjustments of Gains and Losses From Sales of Business Property* (MI-4797)

- *Voluntary Contributions Schedule* (4642)
- *Energy Efficient Qualified Home Improvement Credit* (4764)

If you are also filing a *Home Heating Credit Claim* (MI-1040CR-7) do **not** staple it to your return; fold it and leave it loose in the envelope.

**Important Reminder:** If you do not include all the required attachments with your return, your refund may be reduced, denied, or delayed. Send original forms. Do not send photocopies.

Do not staple multiple prior year returns together.

## Where to Mail Your Return

Mail **refund, credit, or zero due** returns to:

Michigan Department of Treasury  
Lansing, MI 48956

If you **owe tax**, mail your return to:

Michigan Department of Treasury  
Lansing, MI 48929

Make check payable to “**State of Michigan**” and **print your SSN** and “**2011 income tax**” on the front of your check. To ensure accurate processing of your return, send one check for each return type. Do not staple your check to your return.

Do not mail your 2011 return in the same envelope with a return for years prior to 2011; mail your 2011 return in a separate envelope.

## Important Reminders

- **Missing pages.** The MI-1040, MI-1040CR, MI-1040CR-2, MI-1040CR-7, and MI-1040X are two-page forms. Both pages must be completed and submitted for Treasury to process the form timely.
- **Using correct tax year forms.** Appropriate tax year forms must be filed (e.g., do not use a 2010 form to file your 2011 return).
- **Schedules received alone.** If the following forms are filed, they must be submitted with a completed MI-1040:
  - *Withholding Tax* (Schedule W)
  - *Nonresident and Part-Year Resident* (Schedule NR)
  - *College Tuition and Fees Credit* (Schedule CT)
  - *Additions and Subtractions* (Schedule 1)
  - *Nonrefundable Credits* (Schedule 2)
  - *Historic Preservation Credit* (3581)
  - *Voluntary Contributions Schedule* (4642)
  - *Energy Efficient Qualified Home Improvement Credit* (4764)
  - *Adjustments of Capital Gains and Losses* (MI-1040D)
  - *Adjustments of Gains and Losses from Sales of Business Property* (MI-4797)
  - *Sales and Other Dispositions of Capital Assets* (MI-8949)
- **Missing, incomplete, or applied for SSN.** If you don't have an SSN or an Individual Taxpayer Identification Number (ITIN), apply for one through the IRS. **Do not** file your Michigan return until you have received your SSN or ITIN.

## Special Situations

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### Extensions

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To request more time to file your Michigan tax return, send a payment of your estimated tax to Treasury with a copy of your approved federal extension (U.S. Form 4868) on or before the original due date of your return. Treasury will extend the due date to your new federal due date. If you do not have a federal extension, file an *Application for Extension of Time to File Michigan Tax Returns* (Form 4) with your payment. Treasury will **not** notify you of approval. **Do not file an extension if you will be claiming a refund.**

**An extension of time to file is not an extension of time to pay.** If you do not pay enough with your extension request, you must pay interest on the unpaid amount. Compute interest from the original due date of the return. Interest is 1 percent above the prime rate and is adjusted on July 1 and January 1.

You may be charged a penalty of 10 percent or more if the balance due is not paid with your extension request.

When you file your MI-1040, include on line 32 the amount of tax you paid with your extension request. Attach a copy of your federal or State extension to your return.

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### 2012 Estimated Payments

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Usually, you must make estimated income tax payments if you expect to owe more than \$500 when you file your 2012 MI-1040. This is after crediting the property tax, farmland, any other refundable or nonrefundable credits, and amounts you paid through withholding.

Significant income tax changes take effect for 2012 and these changes may require some taxpayers to begin making estimated payments. Visit [www.michigan.gov/treasury](http://www.michigan.gov/treasury) to see how these changes may affect you.

Common income sources which make estimated payments necessary are self-employment income, salary and wages if you do not have enough tax withheld, tips, lump sum payments, unemployment benefits, dividend and interest income, income from the sale of property (capital gains), and rental income.

You may ask your employer to increase your withholding to cover the taxes on other types of income.

Estimated payments are due April 17, 2012; June 15, 2012; September 17, 2012; and January 15, 2013. If you are a fiscal year filer, the due dates are the same as your federal estimated payment due dates.

If you filed estimates for 2011, Treasury will send you personalized forms for 2012, unless you used a tax preparer. Otherwise, request *Michigan Estimated Income Tax Voucher* (MI-1040ES).

**Exceptions.** If you expect to owe more than \$500, you may not have to make estimated payments if you expect your 2012 withholding to be at least:

- 90 percent of your total 2012 tax, **or**
- 100 percent of your total 2011 tax.

Total 2011 tax is the amount on your 2011 MI-1040, line 19, less the amount on lines 24, 25, 26, 27, 28b, 29, and 30.

**Note:** 2012 estimates for taxpayers with 2011 AGI of \$150,000 or more for joint or single filers (\$75,000 or more for married filing separate) must equal 90 percent of the current year's liability or 110 percent of the previous year's liability.

**Farmers, fishermen, or seafarers** may have to pay estimates, but have different filing options. If at least two-thirds of your gross income is from farming, fishing, or seafaring, you may:

- Delay paying your first 2012 quarterly installment (with MI-1040ES) until as late as January 15, 2013, and pay the entire amount of your 2012 estimated tax due, **or**
- File your 2012 MI-1040 return and pay the entire amount of tax due on or before March 1, 2013.

You are considered a farmer or fisherman if you file U.S. *Schedule F* or *Schedule C*. Wages earned as a farm employee or from a corporate farm do **not** qualify you for this exception. You are considered a seafarer if your wages are exempt from income tax withholding under Title 46, Shipping, USC, Sec. 11108.

**Failure to make payments or underpayment of estimates.** If you

fail to make required estimated payments, pay late, or underpay in any quarter, Treasury may charge penalty and interest. Penalty is 25 percent of the tax due (with a minimum of \$25) for failing to file estimate payments or 10 percent (with a minimum of \$10) for failing to pay enough with your estimates or paying estimates late. Interest is 1 percent above the prime rate and is computed monthly. The rate is adjusted on July 1 and January 1.

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### Residency

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**Resident.** You are a Michigan resident if Michigan is your permanent home. Your permanent home is the place you intend to return to whenever you go away. A temporary absence from Michigan, such as spending the winter in a southern state, does **not** make you a part-year resident.

Income earned by a Michigan resident in a nonreciprocal state (see "Reciprocal States" on page 7) or Canadian province is taxed by Michigan, and may also be taxed by the other jurisdiction. If you pay tax to both, you can claim a credit on your Michigan return. See instructions for Schedule 2, line 5, and the example on page 16.

**Part-year resident.** You are a part-year resident if, during the year, you move your permanent home into or out of Michigan. You must pay Michigan income tax on income you earned, received, or accrued while living in Michigan.

Use *Michigan Nonresident and Part-year Resident Schedule* (Schedule NR) and the following guidelines to help figure your tax:

- Allocate your income from the date you moved into or out of Michigan.
- Bonus pay, severance pay, deferred income, and any other amount accrued while a Michigan resident are subject to Michigan tax no matter where you lived when you received it.
- Deferred compensation reported to you on U.S. Form 1099-R and dividend and interest income are allocated to the state of residence when received.
- Part-year residents who lived in Michigan at least six months of the tax year may qualify for a homestead property tax credit (see page 19).

**Note:** Out-of-state students who live in Michigan while they are attending school are not considered Michigan residents or part-year residents and should file as nonresidents.

**Nonresident.** Use Schedule NR to figure your Michigan taxable income. You must pay Michigan income tax on the following types of income:

- Salary, wages, and other employee compensation for work performed in Michigan, unless you live in a state covered by a reciprocal agreement (see “Reciprocal States” below)
- Net rents and royalties from real and tangible personal property in Michigan
- Capital gains from the sale or exchange of real property located in Michigan, or of tangible personal property located in Michigan
- Patent or copyright royalties if the patent or copyright is used in Michigan or if you have a commercial domicile in Michigan
- Income (including dividend and interest income) from an S corporation, partnership or an unincorporated business, or other business activity in Michigan
- Lottery winnings
- Prizes won from casinos or licensed horse tracks located in Michigan. Nonresidents from reciprocal states must also declare these prizes as taxable.

### **Reciprocal States**

**Illinois, Indiana, Kentucky, Minnesota, Ohio, and Wisconsin** have reciprocal agreements with Michigan. Michigan residents pay only Michigan income tax on their salaries and wages earned in any of these states. A Michigan resident can file a withholding form with an employer in a reciprocal state to claim exemption from that state’s income tax withholding. The out-of-state income might make Michigan income tax estimate payments necessary. Residents of reciprocal states working in Michigan do not have to pay Michigan tax on salaries or wages earned in Michigan but do have to pay Michigan tax on business income earned from business activity in Michigan. A resident of a reciprocal state who claims a refund of Michigan withholding tax must file a Schedule NR along with MI-1040.

### **Deceased Taxpayers**

A **personal representative** for the estate of a taxpayer who died in 2011 (or 2012 before filing a 2011 return) must file if the taxpayer owes tax or is due a refund. A full-year exemption is allowed for a deceased taxpayer on the 2011 MI-1040.

Use the deceased’s Social Security number and **your** address. If the taxpayer died after December 31, 2010, check the appropriate box(es) in the “Deceased Taxpayers” section on the bottom of page 2 on MI-1040.

The **surviving spouse** may file a joint return for 2011. Write your name and the deceased’s name and both Social Security numbers on MI-1040. Write “DECD” after the deceased’s last name. You must report the deceased’s income. Sign the return. In the deceased’s signature block, write “Filing as surviving spouse.” If the taxpayer died after December 31, 2010, check the appropriate box(es) on page 2 of the MI-1040. See “Deceased Taxpayer Chart of Examples” on page 47, example A.

If filing as a **personal representative** or **claimant** and you are claiming a refund for a **single** deceased taxpayer, you must attach a U.S. Form 1310 or *Michigan Claim for Refund Due a Deceased Taxpayer* (MI-1310). Enter the deceased’s name in the Filer’s Name fields and the representative’s or claimant’s name in the Home Address field. See “Deceased Taxpayer Chart of Examples” on page 47, example B or C.

If filing as a **personal representative** or **claimant** of a deceased taxpayer(s) for a **jointly** filed return, you must attach a U.S. Form 1310 or *Michigan Claim for a Refund Due a Deceased Taxpayer* (MI-1310). Enter the names of the deceased persons in the Filer’s and Spouse’s Name fields and the representative’s or claimant’s name, title, and address in the Home Address field. See “Deceased Taxpayer Chart of Examples” on page 47, example D or E.

For information about filing a credit claim, see “Deceased Claimant’s Credit” on page 19.

### **Amended Returns**

If you need to make a correction to your return, file an *Amended Michigan Individual Income Tax Return* (MI-1040X). If you are due a

refund on your amended return, you must file it within four years of the due date of the original return.

If a change on your federal return affects Michigan taxable income, you must file an MI-1040X within 120 days of the change. Include payment of any tax and interest due.

To amend only a homestead property tax or home heating tax credit, file a revised claim form clearly marked “Amended.” Do not file an MI-1040X.

### **Net Operating Losses (NOL)**

If you have a federal NOL deduction, you must add back the federal deduction on your Michigan Schedule 1, line 6, to the extent included in federal AGI. A subtraction for a Michigan NOL deduction may be claimed on Schedule 1, line 20, and is calculated on page 1 of *Application for Michigan Net Operating Loss Refund* (MI-1045). Compute your Michigan NOL and Michigan NOL deduction by completing the MI-1045. File an MI-1045 to claim a refund for a carryback deduction. Returns for tax years affected by carryforward deductions must have an MI-1045 attached to substantiate the deduction.

### **Repayments of Income Reported in a Prior Year**

If you had to repay money in 2011 which you claimed as income in a previous year (e.g., unemployment benefits), you may be entitled to a credit on your 2011 return for the tax paid in an earlier year.

If you subtracted the repayment in arriving at AGI, no additional credit is allowed on the Michigan return because your income for the year has been reduced by the repayment amount. If the amount of the repayment was deducted on U.S. *Schedule A* or a credit was claimed on U.S. Form 1040, line 71, a credit will be allowed on the Michigan return.

To compute your Michigan credit, multiply the amount you repaid in 2011 by the tax rate which was in effect the year you paid the tax. Then add the amount of the credit to the Michigan tax withheld on MI-1040, line 31. Write “Claim of Right/Repayment” next to line 31.

Attach a schedule showing the computation of the credit, proof of the repayment, and pages 1 and 2 of your U.S. Form 1040 and *Schedule A* if applicable.

## Summary of Income Tax Credits, Additions, and Subtractions

Below is a summary of income tax credits, additions, and subtractions available to taxpayers. Detailed information for each is provided on the page number indicated below.

### Credits

*The following refundable credits may be claimed on your MI-1040. The line reference follows the credit listed below.*

<u>MI-1040 - Refundable Credits</u>	<u>Page No.</u>
Homestead Property Tax Credit (24) .....	17
Farmland Preservation Tax Credit (25) .....	18
Qualified Adoption expenses (26).....	11
Stillbirth Credit (27).....	11
Earned Income Tax Credit (28).....	11
Energy Efficient Qualified Home Improvement Credit (29) .....	11
Historic Preservation Tax Credit (30) .....	11

*The following nonrefundable credits may be claimed on your Schedule 2. The line reference follows the credit listed below.*

<u>Schedule 2 - Nonrefundable Credits</u>	<u>Page No.</u>
City Income Tax Credit (1) .....	15
Public Contribution Credit (2) .....	15
Community Foundations Credit (3).....	15
Homeless Shelter/Food Bank Credit (4).....	15
Taxes paid to government units outside Michigan (5).....	16
Historic Preservation Tax Credit (6).....	16
College Tuition and Fees Credit (7).....	16
Vehicle Donation Credit (8).....	16
Individual or Family Development Account Credit (9).....	16
Small Business Investment Tax Credit (Venture Investment Credit (9).....	16
Renewable Energy Surcharge Credit (10) .....	16

*The following credit is claimed on the MI-1040CR-7 Home Heating Credit Claim form.*

Home Heating Credit ..... See MI-1040CR-7 Instruction Booklet

### Additions

*The following additions are claimed on your Michigan Schedule 1; total additions are carried forward to the MI-1040, line 11. The Schedule 1 line reference follows the addition listed below.*

<u>Additions</u>	<u>Page No.</u>
Gross interest, dividends, and income from obligations or securities of states and their political subdivisions other than Michigan (1).....	12
Deduction taken on your federal return for self-employment tax or other taxes on or measured by income (2) .....	12
Capital gains from the Michigan column of the MI-1040D or MI-4797 (3) .....	12
Certain losses from a business or property located in another state (4).....	12
Net loss from the federal column of your Michigan MI-1040D, line 13, or MI-4797, line 18b(1) (5).....	12
Money withdrawn in the tax year from a Michigan Education Savings Program (MESP) account if the withdrawal was not a qualified withdrawal as provided in the MESP Act (6) .....	12
Net operating loss deduction used to reduce AGI (6).....	12
Refund received from a Michigan Education Trust (MET) contract (6) .....	12

### Subtractions

*The following subtractions are claimed on your Michigan Schedule 1; total subtractions are carried forward to the MI-1040, line 13. The Schedule 1 line reference follows the subtraction listed below.*

<u>Subtractions</u>	<u>Page No.</u>
Income from U.S. government obligations (Series EE Bonds, Treasury notes, etc.) (8) .....	12
Compensation received for active duty in U.S. Armed Forces (9) .....	12
Gains from federal column of Michigan MI-1040D (15) and MI-4797 (10).....	12
Income attributable to another state (11).....	12
Qualifying retirement and pension benefits (12).....	13
Dividends, interest, and capital gains for senior citizens (13) ..	13
Taxable Social Security and Tier 1 railroad benefits (14).....	13
Renaissance zone deduction (15) .....	13
Michigan state and city income tax refunds and homestead property tax credit refunds (16).....	14
Contributions made to accounts established through MESP (17).....	14
Contract price for a MET contract (18) .....	14
Charitable contributions to MET programs (18).....	14
Venture Capital Deduction (19).....	14
Contributions to national or Michigan political parties or candidates (20).....	14
Benefits from a discriminatory self-insured medical expense reimbursement plan (20).....	14
Proceeds and prizes won in a Michigan regulated bingo, raffle, or charity games (20).....	14
Deduction for claiming a work opportunity credit, clinical testing (orphan drug) credit, or research credit (20).....	14
Losses from disposal of property (20) .....	14
Amount used to determine the credit for elderly or totally and permanently disabled (20) .....	14
Michigan NOL deduction (20).....	14
Gross income included in AGI from Michigan gas and oil royalty interest or working interest (20).....	14
Distributions from individual retirement accounts used to pay qualified higher education expenses (20).....	14
Holocaust victim payments (20).....	14
Distribution from a pension or retirement plan that is contributed to a qualifying charitable organization (20).....	14



## Use Tax

Every state that has a sales tax has a companion tax for purchases made outside that state by catalog, telephone, or Internet. In Michigan, that companion tax is called “use tax,” but might be described more accurately as a remote sales tax because it is a 6 percent tax owed on purchases made outside of Michigan.

Use tax is due on catalog, telephone, or Internet purchases made from out-of-state sellers as well as purchases while traveling in foreign countries when the items are to be brought into Michigan. Use tax must be paid on the total price (including shipping and handling charges).

### How to Report Use Tax

Use Worksheet 1 below to calculate your tax and enter the amount of tax due on MI-1040, line 22.

### Worksheet Calculation

**Line 1:** For purchases of \$0-\$1,000, multiply your total purchases times 6 percent (0.06) and enter the amount on Line 1, **or**

If you have incomplete or inaccurate receipts to calculate your purchases, you may use Table 1 - Use Tax to estimate your taxes. (See the following example.)

Line 1 should contain a number unless you made no purchases under \$1,000 subject to the use tax. If we later determine that you owe use tax, you may be subject to penalty and interest.

**Line 2:** In all cases, if a single purchase is \$1,000 or more, you must pay 6 percent use tax on those purchases.

**Example:** Kurt ordered a computer from a catalog retailer in New York for \$1,437.50. Kurt also purchased items over the Internet for less than \$1,000 during the year, but lost his receipts. He is sure he did not pay Michigan sales tax. Kurt’s AGI is \$46,500. Kurt would complete Worksheet 1 as follows:

**Line 1:** Kurt selects \$36 from the table based on his AGI..... \$36

**Line 2:** Kurt enters \$1,437.50 x 6 percent..... \$86.25

**Line 3:** Total use tax due .... \$122.25

Kurt would enter \$122 (no cents) on his 2011 MI-1040, line 22.

Estimating your taxes does not preclude Treasury from auditing your account. If additional tax is due, you may receive an assessment for the amount of the tax owed, plus applicable penalty and interest.

**TABLE 1 - USE TAX**

<u>AGI*</u>	<u>Tax</u>
\$0 - \$10,000 .....	\$4
\$10,001 - \$20,000 .....	\$12
\$20,001 - \$30,000 .....	\$20
\$30,001 - \$40,000 .....	\$28
\$40,001 - \$50,000 .....	\$36
\$50,001 - \$75,000 .....	\$50
\$75,001 - \$100,000 .....	\$70
Above \$100,000.....	Multiply AGI by 0.08% (0.0008)

\* AGI from MI-1040, line 10.

### Use Tax on the Difference

If you paid at least 6 percent to another state on your purchase, you do not owe use tax to Michigan. If you paid less than 6 percent, you owe the difference.

**Note:** The full 6 percent use tax is owed on purchases made in a foreign country.

**For more information, visit  
[www.michigan.gov/taxes](http://www.michigan.gov/taxes).**

### **WORKSHEET 1 - USE TAX**

**Line 1:** Itemized purchases of \$0 to \$1,000 x 6 percent (0.06) **OR** Use Tax table amount ..... \$ \_\_\_\_\_

**Line 2:** Single purchases \$1,000 or more x 6 percent (0.06)... \$ \_\_\_\_\_

**Line 3:** Total Use Tax Due (add Lines 1 and 2)..... \$ \_\_\_\_\_

Enter amount from Line 3 above on your 2011 MI-1040, line 22. If the amount on Line 3 is 0, enter “0” on your 2011 MI-1040, line 22.

## Line-by-Line Instructions for MI-1040

*Lines not listed are explained on the form.*

**Line 1:** Only married filers may file joint returns. Include name and address.

**Lines 2 and 3:** Write your SSN(s).

**Line 5: State Campaign Fund.** These funds are disbursed only to candidates for governor, regardless of political party, who agree to limit campaign spending and meet the campaign fund requirements. Choosing "Yes" will not raise your tax or reduce your refund.

**Line 6:** Only farmers, fishermen, and seafarers should check this box. (For estimate filing information, see page 6.)

**Line 7: Filing Status.** Check the box to identify your filing status. If you file a joint federal return, you must file a joint Michigan return and you cannot be claimed as a dependent on another person's tax return. Married couples who file separate federal returns may file a separate or joint Michigan return. If you are claiming a homestead property tax credit or other tax credits, it may be easier to file a joint Michigan return because total (joint) household income is the basis for computing these credits. If your status is married filing separately (box c), write your spouse's full name in the space provided and be sure to write his or her SSN on line 3. If you filed your federal return as head of household or qualifying widow(er), you must file the Michigan return as single.

**Line 8: Residency.** Check the box that describes your Michigan residency for 2011. If you and your spouse had a different residency status during the year, check a box for each of you. Both part-year residents and nonresidents must file *Nonresident and Part-Year Resident Schedule* (Schedule NR). (For definition of residency, see page 6.)

**Line 9: Exemptions.** Use this line to compute your Michigan exemption amount plus your Michigan special exemptions.

**a)** Enter the number of exemptions you claimed on your U.S. Form 1040 or 1040A, line 6d. These exemptions are for you, your spouse (if filing jointly), and your dependents.

Multiply the number of exemptions by your exemption allowance of \$3,700 and enter that amount in the box.

**Exemptions.** Complete the lines that apply to you, your spouse, or dependents as of December 31, 2011. If your dependent files an annual return, you and your dependent may not both claim the special exemption.

**b)** Age 65 or older. You are considered age 65 the day before your 65th birthday. If you claim this exemption, you may **not** claim an exemption as totally and permanently disabled.

**c)** Deaf, Blind, or Disabled. You qualify for this exemption if you are deaf, blind, hemiplegic, paraplegic, quadriplegic, or totally and permanently disabled. Deaf means the primary way you receive messages is through a sense other than hearing (e.g., lip reading or sign language). Blind means your better eye permanently has 20/200 vision or less with corrective lenses, or your peripheral field of vision is 20 degrees or less. Totally and permanently disabled means disabled as defined under Social Security Guidelines 42 USC 416. If you are age 65 or older, you may **not** claim an exemption as totally and permanently disabled. You may claim only one exemption per person in this category.

**d)** Child 18 and Under. Enter \$600 for each child 18 and under as of December 31, 2011, whom you claim as a dependent.

**e)** Qualified Disabled Veterans. A taxpayer may claim an exemption of \$300 in addition to the taxpayer's other exemptions if (a) the taxpayer or spouse is a qualified disabled veteran, or (b) a dependent of the taxpayer is a qualified disabled veteran. To be eligible for the additional exemption an individual must be a veteran of the

active military, naval, marine, coast guard, or air service who received an honorable or general discharge and has a disability incurred or aggravated in the line of duty as described in 38 USC 101(16). This additional exemption may not be claimed on more than one tax return.

**f)** Unemployment compensation. Check this box if 50 percent or more of your AGI (MI-1040, line 10) is from unemployment compensation. If you checked the box, enter \$2,400 in the space provided.

**g)** If someone else can claim you as a dependent, check the box, complete Worksheet 2 below, and enter the amount from the worksheet in the space provided on line 9g.

**Line 10: Adjusted Gross Income.** Enter your AGI from your federal return. This is the amount from your U.S. Form 1040, line 37, U.S. Form 1040A, line 21, or U.S. Form 1040EZ, line 4. You must attach copies of federal schedules that apply to you (see Table 4 on page 47). For Michigan adjustments to AGI, see Schedule 1, page 31. Instructions for completing Schedule 1 begin on page 12.

**Line 17: Tax.** Multiply the amount on line 16 by 4.35 percent (0.0435).

**Line 18: Nonrefundable Credits.** Enter the total amount of nonrefundable credits from Schedule 2, line 11.

**Line 19: Income Tax.** Carry this amount to line 20.

**Line 21: Voluntary Contributions.** Contribution amounts can be made on *Voluntary Contribution Schedule*. (Form 4642). Attach Form 4642 to ensure your contributions are applied to the fund(s) of your choice. Contributions will increase your tax due or reduce your refund.

### WORKSHEET 2 - FILER ELIGIBLE TO BE CLAIMED AS A DEPENDENT

Is your AGI (from your federal return) over \$1,500 if single or married filing separately?

**YES.** If single or married filing separately, enter "0" on line 9a and \$1,500 on line 9g. Do not continue the rest of this worksheet.

**OR**

**NO.** Then was Michigan income tax withheld from your wages?

Continue with the following two questions.

- If YES, enter "0" on lines 9h and 19, and complete line 10 and lines 21 through 37.

**OR**

- If NO, you do not need to file this return.

## WORKSHEET 3 - STILLBIRTH CREDIT

- A. Enter number of Certificates of Stillbirth for 2011 (see line 27 instructions below for qualifications)..... \_\_\_\_\_
- B. Multiply line A by \$170. Enter here and carry to MI-1040, line 27. \_\_\_\_\_

**Line 22: Use Tax.** Enter use tax due from Worksheet 1, line 3, on page 9.

**Line 24:** Property tax credit information begins on page 17.

**Line 25:** Farmland preservation credit applies to farmers only. See page 18.

**Line 26: Qualified Adoption Expenses.** Enter the amount from your *Michigan Qualified Adoption Expenses* (MI-8839), line 10. Attach a completed U.S. Form 8839 and a completed MI-8839.

**Line 27: Stillbirth Credit.** If you are the mother of a stillborn delivered during 2011 and have been issued a Certificate of Stillbirth from the Michigan Department of Community Health (MDCH), attach a copy of the certificate to MI-1040 and complete Worksheet 3 above.

If you do not have a certificate, contact the MDCH at (517) 335-8666 for an application or information on obtaining the certificate. You should not file for the credit until you have the certificate. You can amend your 2011 return at a later date should you get the certificate after you file the original return.

**Line 28: Michigan Earned Income Tax Credit (EITC).** Taxpayers who are eligible to claim an EITC on their federal return may claim a Michigan EITC equal to 20 percent of the taxpayer's federal credit. To claim the Michigan credit, enter your federal EITC amount on line 28a and 20 percent of line 28a on line 28b.

**Line 29: Energy Efficient Qualified Home Improvement Credit.** Enter the amount from your completed *Energy Efficient Qualified Home Improvement Credit* (Form 4764), line 7. Attach completed Form 4764 to your MI-1040.

**Line 30: Michigan Historic Preservation Tax Credit.** Enter the amount from your *2011 Historic Preservation Tax Credit* (Form 3581), line 16a or 16b, whichever applies. Attach a completed Form 3581 and U.S. Form 3581, if applicable.

**Line 31:** Enter the total **Michigan** tax withheld (from your Schedule W). If applicable, include any credit for repayments under the "Claim of Right." See "Repayments of Income Reported in a Prior Year" on page 7.

**Line 32:** Enter the total estimated tax paid with your 2011 MI-1040ES, the amount paid with a Form 4, and the amount of your 2010 overpayment applied to this year's tax (2010 MI-1040, line 36).

**Line 34: You Owe.** If line 33 is less than line 23, enter the difference. This is the tax you owe with your return.

You will owe penalty and interest for late payment of tax if you pay after the due date. Penalty accrues monthly at 5 percent of the tax due, and increases by an additional 5 percent per month, or fraction thereof, after the second month, up to a maximum of 25 percent of the tax due (e.g., penalty on a \$500 tax due will be \$125 if the tax is unpaid for six months). See "Penalty and Interest Added for Filing and Paying Late" on page 4. Add penalty and interest to your tax due and enter the total on line 34. Generally, if you owe more than \$500, you are required to make estimated payments. See **special note** below and information about estimated payments on page 6. If the balance due is less than \$1, no payment is required, but you must still file your return. See "Pay" address on page 2 of your MI-1040.

**Special note for people required to file estimates.** You may owe penalty and interest for underpayment, late payment, or for failing to make estimated tax payments. Use the *Underpayment of Estimated Income Tax* (MI-2210) to compute penalty and interest. If you do not file an MI-2210, Treasury will compute your penalty and interest and send you a bill. If you annualize your income, you must complete and attach MI-2210. Enter the penalty and interest amounts on the lines provided.

**Line 37: Refund.** This includes any tax you overpaid and any credits due you. The State does not refund amounts less than \$1. Mail your return to the "Refund, credit, or zero returns" address on page 2 of MI-1040.

### Direct Deposit

First check with your financial institution to (1) make sure it will accept Direct Deposit, (2) obtain the correct Routing Transit Number (RTN) and account number, and (3) if applicable, verify that your financial institution will allow a joint refund to be deposited into an individual account.

Direct Deposit requests associated with a foreign bank account are classified as International ACH Transactions (IAT). If your income tax refund Direct Deposit is forwarded or transferred to a bank account in a foreign country your Direct Deposit will be returned to Treasury. If this occurs, your refund will be converted to a check (warrant) and mailed to the address on your tax return. Contact your financial institution for questions regarding the status of your account.

**a. RTN.** Enter the nine-digit RTN. The RTN is usually found between the symbols |: and |: on the bottom of your check. The first two digits must be "01" through "12" or "21" through "32".

**b. Type of Account.** Check the box for checking or savings.

**c. Account Number.** Enter your bank account number up to 17 characters (both numbers and letters). The account number is usually found immediately to the right of the RTN on the bottom of your check. Include hyphens but omit spaces and special symbols. Enter the number from left to right. Do **not** include the check number.

### When You Are Finished

**Sign Your Return.** Each spouse must sign a joint return. If the tax preparer is someone other than the taxpayer, he or she must include the name and address of the firm he or she represents and tax preparer tax identification or federal employer identification number. Check the box to indicate if Treasury may discuss your return with your preparer.

**Signing a child's return.** If a return is prepared for a child who is too young to sign it, a parent or guardian should sign the child's name, then add "by (your name) parent (or guardian) for minor child."

**Attachments.** Attach all your credit claims and required Michigan and federal schedules (see Table 4, p. 47).

**If you owe tax.** Make check payable to "State of Michigan." **Print your Social Security number** and "2011 income tax" on the front of your check. If paying on behalf of another taxpayer, write the taxpayer's name and Social Security number on the check. Enclose your payment but do **not** staple it to the return. Checks

stapled to the back of the return may not be seen and may result in improper processing.

The **filing deadline to receive a refund** for tax year 2011 is April 18, 2016.

## Line-by-Line Instructions for Schedule 1

Part-year and nonresidents, complete Schedule NR (see page 39) before proceeding.

### Additions to Income

**Line 1:** Enter gross interest, dividends, and income from obligations or securities of states and their political subdivisions other than Michigan. Add this income even if it comes to you through a partnership, S corporation, estate, or trust. You may reduce this income by related expenses not allowed as a deduction by Section 265(a)(1) of the Internal Revenue Code (IRC).

**Line 2:** Enter the deduction taken for **self-employment tax** on your federal return and for other taxes on or measured by income, such as your share of city income tax paid by partnerships or S corporations, or your share of the taxes paid by an estate or trust.

**Line 3:** Use *Michigan Adjustments of Capital Gains and Losses* (MI-1040D and related MI-8949) **only** if you have capital gains or losses attributable to: (1) an election to use Section 271 treatment for property acquired before October 1, 1967; (2) the sale or exchange of U.S. obligations which cannot be taxed by Michigan; or (3) the sale or exchange of property located in other states.

If you reported gains on U.S. Form 4797 on property acquired before October 1, 1967, or located in other states, adjust the gain on the *Michigan Adjustments of Gains and Losses From Sales of Business Property* (MI-4797).

Enter gains from the Michigan column of MI-1040D, line 12, and MI-4797, line 18b(2). Instructions are with each form.

**Line 4:** Enter losses from a business or property located in another state

which you own as a sole proprietor, a partner in a partnership, a shareholder in an S corporation, or as a member of a pass-through entity. If your business is taxed by both Michigan and another state, the loss must be apportioned. You must attach a *Michigan Schedule of Apportionment* (MI-1040H).

**Line 5:** Enter the net loss from the federal column of your MI-1040D, line 13, or MI-4797, line 18b(1) as a positive number.

**Line 6:** Enter the total of the following (attach a schedule if necessary):

- Add, to the extent not included in AGI, the amount of money withdrawn in the tax year from a Michigan Education Savings Program (MESP) account, including the MI 529 Advisor Plan (MAP), if the withdrawal was not a qualified withdrawal as provided in the MESP Act. You may first exclude any amount that represents a return of contributions for which no deduction was claimed in any prior tax year.
- Amount of NOL deduction (NOL carryforward) used to reduce AGI (see page 7).
- Refund received from a Michigan Education Trust (MET) contract. If you deducted the cost of a MET contract in previous years and received a refund from MET during 2011 because the MET contract was terminated, then enter the smaller of: (1) the refund you received **or** (2) the amount of the original MET contract price (including the application and processing fees) which you deducted in previous years.

### Subtractions From Income

**Note:** Part-year and nonresidents, subtract only income attributable to Michigan (Schedule NR, column B) that is not included on line 11.

**Line 8:** Enter income from U.S. government obligation (e.g., Series EE bonds, Treasury notes, etc.), including income from U.S. government obligations received through a partnership, S corporation, or other pass-through entity. This subtraction must be reduced by related expenses used to arrive at AGI.

Investment companies that invest in U.S. obligations are permitted to pass the tax-free exemption to their shareholders.

If income from U.S. government obligations exceeds \$5,000, attach a copy of your U.S. *Schedule B* or *Schedule I* listing the amounts received and the issuing agency.

Capital gains from the sale of U.S. government obligations must be adjusted on MI-1040D.

**Line 9:** Enter compensation received for active duty in the U.S. Armed Forces included in AGI. Include military retirement on line 12.

**Note:** Compensation from the U.S. Public Health Service is **not** considered military pay.

**Line 10:** Enter the gains from the federal column of your MI-1040D, line 12, and MI-4797, line 18b(2). See instructions for Michigan Schedule 1, line 3.

**Line 11: Income Attributable to Another State.** Nonresidents and part-year residents, complete Schedule NR. See instructions on page 40. Attach federal schedules.

Business income that is taxed by Michigan and another state must be apportioned. You must complete and attach MI-1040H.

Capital gains from the sale of real property or tangible personal property located outside of Michigan must be adjusted on MI-1040D.

Michigan residents cannot subtract salaries and wages or other compensation earned outside Michigan. However, they may be entitled to a tax credit for income tax imposed by government units outside Michigan (see page 16).

Residents may subtract:

- Net business income earned in other states and included in AGI, and
- Net rents and royalties from real property or tangible personal property located or used in another state.

**Line 12:** Qualifying retirement and pension benefits included in your AGI may be subtracted from income. The amount you may subtract depends on the source of the benefit (public or private).

**Note: Pension/Interest/Dividends/Capital Gain Estimator.** Certain amounts of interest/dividends/capital gains and pension distributions are subtractable from taxable income. An online estimator is available to assist taxpayers in determining what amounts can be subtracted. Visit Treasury's Web site at [www.michigan.gov/taxes](http://www.michigan.gov/taxes) and select Pension Estimator from the Quick List, Services dropdown menu.

Qualifying benefits include:

- Pension plans that define eligibility for retirement and set contribution and benefit amounts in advance
- Qualified retirement plans for the self-employed
- Retirement distributions from a 401(k) or 403(b) plan attributable to employer contributions or attributable to employee contributions to the extent they result in matching contributions by the employer
- IRA distributions received after age 59½ or described by Section 72(t)(2)(A)(iv) of the IRC (series of equal periodic payments made for life)
- Benefits from any of the previous plans received due to a disability, or as a surviving spouse if the decedent qualified for the subtraction at the time of death
- Benefits paid to a senior citizen (age 65 or older) from a retirement annuity policy that are paid for life (as opposed to a specified number of years).

You may subtract **all** qualifying retirement and pension benefits

included in AGI and received from the following public sources:

- The State of Michigan
- Michigan local governmental units (e.g., Michigan counties, cities, and school districts)
- Tier 2 railroad retirement
- Federal civil service
- Military retirement from the U.S. Armed Forces.

**If all qualifying retirement and pension benefits were received from public sources,** enter the total of all benefits on line 12. **If all qualifying retirement and pension benefits were received from private sources,** enter the smaller of:

- The total of all qualifying private pensions included in AGI, or
- \$45,842 if you are a single filer, \$91,684 if you are married and filing jointly.

**If you received a combination of qualifying public and private retirement and pension benefits,** follow these steps to compute your deduction:

**Step 1:** Add all qualifying public retirement benefits included in AGI.

**Note:** If your public retirement benefits are greater than the maximum amounts (\$45,842 single filer or \$91,684 married, filing jointly) you are not entitled to claim a subtraction for private pensions.

**Step 2:** If you are a single filer, deduct the amount in step 1 from \$45,842. If you are married filing jointly, deduct the amount in step 1 from \$91,684.

**Step 3:** Add all qualifying private pensions included in AGI.

**Step 4:** Determine which is smaller, the amount computed in step 2 or the amount computed in step 3.

**Step 5:** Add the amount computed in step 1 to the amount determined in step 4 and enter the total on line 12.

For help in calculating this subtraction, see "Information for Senior Citizens and Retirees" on Treasury's Web site at [www.michigan.gov/incometax](http://www.michigan.gov/incometax).

**For public and private pension or retirement benefits, you may not subtract:**

- Amounts received from a deferred

compensation plan that lets the employee set the amount to be put aside and does not set retirement age or requirements for years of service. These plans include, but are not limited to, plans under Sections 401(k), 457, and 403(b) of the IRC.

- Amounts received before the recipient could retire under the plan provisions, including amounts paid on separation, withdrawal, or discontinuance of the plan.

- Amounts received as early retirement incentives, unless the incentives were paid from a pension trust.

**Line 13: Senior citizens** (age 65 or older) may subtract interest, dividends, and capital gains included in AGI. This subtraction is limited to a maximum of \$10,218 on a single return or \$20,437 on a joint return. However, the maximum must be reduced by the retirement pension subtraction claimed on line 12. For help in calculating this subtraction, see "Information for Senior Citizens and Retirees" on Treasury's Web site at [www.michigan.gov/incometax](http://www.michigan.gov/incometax).

**Line 14:** Enter only the taxable portion of Social Security and Tier 1 railroad benefits included on your U.S. Form 1040, line 20b, or your U.S. Form 1040A, line 14b. Do not include your total Social Security benefits.

**Line 15: Renaissance Zone deduction.** To be eligible you must meet all the following requirements:

- Be a permanent resident of a Renaissance Zone for at least 183 consecutive days.
- Be approved by your local assessor's office.
- Must not be delinquent for any State or local taxes abated by the Renaissance Zone Act.
- Must file MI-1040 each year.
- Have gross income of \$1 million or less.

If you were a full-year resident of a Renaissance Zone, you may subtract all income earned or received. Unearned income such as capital gains may have to be prorated. If you lived in the Zone at least 183 consecutive days during 2011, you may subtract the portion of income earned while a resident of the Zone. If you are a part-year resident of a Zone, you must complete and

attach a Schedule NR to MI-1040. (See "Special Note" on the back of Schedule NR, page 40.)

Certain Renaissance Zones began to phase out in 2007. The tax exemption is reduced in increments of 25 percent during the Zone's final three years of existence. If you are a resident of a Zone that is phasing out (check with your local unit of government), you must reduce your deduction as follows:

- 25 percent for the tax year that is two years before the final year of designation as a Renaissance Zone
- 50 percent for the tax year immediately preceding the final year of the designation as a Renaissance Zone
- 75 percent for the tax year that is the final year of the designation as a Renaissance Zone.

For additional information regarding qualifications for the Renaissance Zone deduction, call the Michigan Economic Development Corporation at (517) 373-9808.

**Line 16:** You may subtract Michigan state and city income tax refunds and homestead property tax credit refunds that were included in AGI.

**Note to farmers:** You may subtract (to the extent included in AGI) the amount that your State or city income tax refund and homestead property tax credit exceeds the business portion of your homestead property tax credit.

**Line 17: Michigan Education Savings Program.** You may deduct, to the extent not deducted in calculating AGI, the total of all contributions less qualified withdrawals and rollovers (compute the contributions, withdrawals and rollovers separately for each account) made during 2011 by the taxpayer in the tax year to accounts established through the MESP, including the MAP. The deduction may not exceed \$5,000 for a single return or \$10,000 for a joint return per tax year. There are numerous education savings accounts available from other states and investment companies, but Michigan only allows a tax deduction for contributions to accounts established through MESP and MAP.

**Line 18: Michigan Education Trust.** You may deduct the following:

- If you purchased a MET contract during 2011, you may deduct the total contract price (including the processing fee).
- If you made a charitable contribution to the MET Charitable Tuition Program during 2011, you may deduct the total contribution amount. You will receive a statement from MET to confirm the amount. All charitable donations will go toward providing scholarships to foster care students at Michigan public colleges.
- If you purchased a MET payroll deduction or monthly purchase contract, you may deduct the amount paid on that contract during 2011 (not including fees for late payments or insufficient funds). You will receive an annual statement from MET specifying this amount.
- If you have terminated a MET contract, you may deduct the amount included in AGI as income to the purchaser.

**Line 19: Venture Capital Deduction.** No companies certified for this deduction in 2011. The Venture Capital Deduction cannot be claimed.

**Line 20: Miscellaneous subtractions include:**

- Any part of a qualified withdrawal from an MESP account, including the MAP, included in AGI.
- Contributions to national or Michigan political parties or candidates. The maximum deductions are \$50 on a single return and \$100 on a joint return.
- Benefits from a discriminatory self-insured medical expense reimbursement plan, to the extent these reimbursements are included in AGI.
- Proceeds and prizes included in AGI won in State of Michigan-regulated bingo, raffle, or charity games.
- Amount of salary and wage expense that cannot be deducted on your federal return because you are claiming a work opportunity credit, clinical testing (orphan drug) credit, or research credit. Attach a copy of U.S. Forms 5884, 6765, or 8820 to substantiate this subtraction.

- Losses from the disposal of property reported in the Michigan column of MI-1040D, line 13, or MI-4797, line 18b(2).
- Amount used to determine the credit for elderly or totally and permanently disabled from U.S. Form 1040A or U.S. Form 1040 Schedule R, line 22.
- Michigan NOL deduction. Attach MI-1045. See page 7.
- Gross income included in AGI from Michigan gas and oil royalty interest or working interest.
- The amount of a distribution from individual retirement accounts that qualify under IRC section 408 if the distribution is used to pay qualified higher education expenses (tuition, books, fees, etc.) at a postsecondary educational institution. Attach a completed U.S. Form 5329.
- Holocaust victim payments.
- To the extent included in AGI, a qualifying distribution from a pension or retirement plan that is contributed to a qualifying charitable organization. To qualify, you must make the payment to the charity within 60 days of receiving the distribution, and reduce the amount of the contribution by any pension subtraction taken and two times the total amount of credits claimed for a public contribution credit, homeless shelter/food bank credit, and the community foundation credit.

**You may not subtract:**

- Itemized deductions from U.S. Schedule A.
- Sick pay, disability benefits, and wage continuation benefits paid to you by your employer or by an insurance company under contract with your employer.
- Unemployment benefits included in AGI, except railroad unemployment benefits.
- Distributions from a deferred compensation plan received while a resident of Michigan.
- Lottery winnings. (Exception: installment payments from prizes won on or before December 30, 1988, may be subtracted.)

**Note:** Include installment gross winnings as reported on your Form W-2G, box 1, and show on your Schedule W, Table 1, in the appropriate box.

## Line-by-Line Instructions for Schedule 2

### Line 1: City Income Tax Credit.

Everyone who pays Michigan income tax is allowed **partial** credit for income tax paid to Michigan cities. Use Worksheet 4 below to estimate the credit or use the online estimator at [www.michigan.gov/taxes](http://www.michigan.gov/taxes) and select City Income Tax Credit Estimator from the Quick List, Services dropdown menu.

**1a:** Enter your net city income tax paid in 2011 from Worksheet 4 below.

**1b:** Enter your city income tax credit.

### Line 2: Public Contribution Credit.

A **partial** income tax credit can be claimed for donations to a qualifying Michigan public institution. The credit is based on cash or the value of the item(s) donated. Values claimed must be supported by written appraisals, trade journals, etc., or by an itemized receipt.

Gifts qualify for credit if given to:

- Michigan colleges or universities and their fund-raising organizations
- The Michigan Colleges Foundation
- The State Art in Public Places Fund
- The Michigan Historical Museum
- Michigan public libraries
- Michigan public broadcasting stations
- A Michigan municipality, or a nonprofit corporation affiliated with a Michigan municipality, for an art

institute in that municipality or to benefit the art institute (art institutes are those whose primary function is the displaying/teaching of visual arts)

- The State of Michigan for the preservation of State archives.

Artwork created by the taxpayer also qualifies for credit if given to:

- The State of Michigan for display in a public place
- A Michigan municipality for public display.

Artwork is an original visual creation of quality in any size or shape, in any media, using any materials. Its fair market value must be determined by an independent appraiser when donated.

**2a:** Enter the total amount of public contributions.

**2b:** Enter the credit which is the smaller of:

- 50 percent of the contribution reported on line 2a, or
- \$100 (\$200 for a joint return).

### Line 3: Community Foundations Credit.

A **partial** income tax credit can be claimed when you donate to an endowment fund of one of the certified community foundations or component funds listed on page 48. Enter the code number in the box on line 3. For individuals who contributed to more than one

community foundation, enter the number of one foundation and attach a list indicating the others. You must enter a valid code to receive credit.

**3a:** Enter the total of all contributions.

**3b:** Enter the credit which is the **smaller** of:

- 50 percent of the contribution reported on line 3a, **or**
- \$100 (\$200 for a joint return).

### Line 4: Homeless Shelter/Food Bank Credit.

A **partial** income tax credit can be claimed when a **donation** is made by cash or check to a qualifying shelter for homeless persons, a food bank, a food kitchen, or other entity whose **primary** purpose is to provide overnight accommodation, food, or meals to indigent persons. A partial income tax credit is also allowed for the cash value of donations of food made to any of these organizations but only if the donation is matched with similar food items by a retailer. Donations to organizations such as secondhand stores and churches that provide other services or shelter and food as a secondary purpose do **not** qualify for this credit.

**Note:** Contributions designated for a “qualifying organization” (community foundation, homeless shelter, or food bank) and made through United Way also qualify for this credit. If the credit is for a community foundation, enter the appropriate two-digit code number on Schedule 2, line 3.

Contributions qualifying for this credit must be all of the following:

- Cash, check, or gifts of food donated in conjunction with a matching contribution made by a food retailer or vendor;
- Made to organizations located in **Michigan** whose **primary** purpose is to provide food and/or shelter to indigent persons; **and**
- Deductible as a charitable contribution under the IRC.

**4a:** Enter the total cash contributions and qualifying donated food value.

**4b:** Enter the credit which is the **smaller** of:

- 50 percent of the contribution reported on line 4a, **or**
- \$100 (\$200 for a joint return).

WORKSHEET 4 - CITY INCOME TAX CREDIT				
<b>Step 1</b>	<b>To Determine Net City Income Tax</b>			
	A. City income tax withheld from wages in 2011 (from your W-2, box 19, or Schedule W, Table 1, Column F) .....	+	.00	
	B. Amount of tax paid with a Michigan city income tax return filed in 2011 (do <b>not</b> include penalty and interest) .....	+	.00	
	C. Estimated city income tax payments paid in 2011 .....	+	.00	
	D. <b>Subtotal.</b> Add lines A through C .....	=	.00	
	E. City income tax refund(s) received in 2011 .....	-	.00	
<b>F. Total Net City Income Tax Paid</b>				
Subtract line E from line D. Carry to line 1a .....			= .00	
<b>Step 2</b>	<b>To Determine Your City Income Tax Credit:</b>			
	<b>If Your Total Net City Income Tax Paid (Michigan Schedule 2, line 1a) is:</b>			
	\$100 or less	\$101 through \$150	\$151 or more	
	Net city income tax paid .....	Net city income tax paid .....	Net city income tax paid .....	.00
	Multiply .....x <b>.20</b>	Subtract ..... - <b>\$100.00</b>	Subtract ..... - <b>\$150.00</b>	.00
	<b>CREDIT.</b> Carry to line 1b .....	<b>Subtotal</b> .....	<b>Subtotal</b> .....	.00
		Multiply .....x <b>.10</b>	Multiply .....x <b>.05</b>	.00
		<b>Subtotal</b> .....	<b>Subtotal</b> .....	.00
		Add ..... + <b>20.00</b>	Add ..... + <b>25.00</b>	.00
	<b>Round all amounts to the nearest dollar.</b>	<b>CREDIT.</b> Carry to line 1b .....	<b>CREDIT.</b> Carry to line 1b .....	.00
<b>Credit cannot exceed \$10,000.</b>				



**Note:** Treasury may request receipts for credits claimed on lines 2, 3, and 4. Cancelled checks will **not** be accepted in place of receipts.

**Line 5: Credit for Income Tax Imposed by Government Units Outside Michigan.** Include the amount of income tax paid to:

- A nonreciprocal state (see page 7)
- A local government unit outside Michigan, including tax paid to local units located in reciprocal states
- The District of Columbia
- A Canadian province.

Include only income tax paid to another government unit(s) on income earned while you were a Michigan resident and taxed by Michigan.

**Attach a copy of the return filed with the other government unit(s) to your MI-1040.**

Do **not** include taxes paid on income you subtracted on lines 8 through 20 of Michigan Schedule 1 (e.g., rental or business income from another state, part-year resident wages, etc.). If you claim credit for Canadian provincial tax, you must file a *Michigan Resident Credit for Tax Imposed by a Canadian Province* (Form 777). Attach copies of your *Canadian Federal Individual Tax Return* (Form T-1), Canadian Form T-4, U.S. Form 1116, and U.S. Form 1040. Your credit is limited to the portion of your Canadian provincial tax not used as a credit on your U.S. Form 1040.

**5a:** Enter the total income tax paid to other government units. If you paid tax to more than one unit, attach a schedule showing the tax paid to each government unit.

**5b:** Credit amount. If more than one government unit is involved, compute the credit amount for each government unit separately. Then add the individual credit amounts and enter the total on line 5b. Compute your allowable credit as follows:

- Divide your non-Michigan income subject to tax by both states by your total income subject to Michigan tax (MI-1040, line 14); then
- Multiply the amount of tax shown on MI-1040, line 17, by the resulting percentage.

Your credit cannot exceed the smaller of: (1) the amount of tax imposed

by another government; or (2) the amount of Michigan tax due on salaries, wages, and other personal compensation earned in another state. See the Example below.

**Line 6: Michigan Historic Preservation Tax Credit.** To claim this credit you must submit **all** of the supporting documentation. For a list of required forms see the instructions on the back of Form 3581.

**6a:** Enter the amount from your 2011 Form 3581, line 9.

**6b:** Enter the amount from your 2011 Form 3581, line 14.

**Line 7: College Tuition and Fees Credit.** Enter the college tuition and fees credit from Schedule CT, line 4e.

**Line 8: Vehicle Donation Credit.** Taxpayers who donate automobiles to certain charities may claim a nonrefundable Michigan tax credit if the automobile is transferred by the charity to an individual for employment purposes. Donors must receive a *Donor Tax Credit Certificate for Donated Vehicle* (Form 4284) from a certified charitable organization to be able to claim the credit. Treasury may request copies of Form 4284 for verification. Retain a copy of the form in your records.

**8a:** Enter Value of Donated Vehicle from Form 4284.

**8b:** Enter the smaller amount of 50 percent of line 8a or a maximum of \$50 for a single return or \$100 for joint return.

**Line 9: Individual or Family Development Account and/or Small**

**Business Investment Tax (Venture Investment) Credits.** Taxpayers eligible for either of these credits will have received a certificate indicating their eligibility. Those eligible for the development account credit will have a certificate from the Michigan State Housing Development Authority (MSHDA), and those eligible for the Small Business Investment Tax Credit will have a certificate from the Michigan Strategic Fund. The certificate must be attached to the taxpayer's return.

**Line 9a:** Enter the contribution amount or investment amount from the required certificate.

**Line 9b:** Enter the income tax credit amount from the required certificate.

**Line 10: Renewable Energy Surcharge Credit.** Credit is based on an itemized surcharge for renewable energy that may appear on residential electric bills. Customers of DTE Energy pay the maximum surcharge of \$3 per month, customers of Consumers Energy paid \$2.50 per month through September and \$0.65 per month for October through December. Other utilities may impose the surcharge. Taxpayers may claim the credit only if the surcharge appears on their monthly utility bill. To be eligible for this credit, AGI must be no more than \$65,000 for single/married filing separate or \$130,000 for joint filers.

**Line 10a:** Enter your total monthly surcharges from all eligible 2011 electric bills.

**Line 10b:** Multiply line 10a by 0.20 (20%).

**EXAMPLE: Computing MI resident's credit for tax imposed by another state.**

Tom is a Michigan resident and has Michigan wages of \$22,000, \$8,000 of wages earned in another state, and \$2,000 in interest and dividends. Tom's federal AGI is \$32,000. He has no Michigan adjustments (additions or subtractions) to AGI. After subtracting his \$3,700 exemption from \$32,000 income subject to tax, Tom's taxable income is \$28,300 (MI-1040, line 16). The other state imposed \$600 tax on the \$8,000 Tom earned in that state. To compute the credit, determine the following:

Tom's Michigan income tax: \$28,300 x 4.35% (MI-1040, line 17) .....	\$1,231
Percentage of non-Michigan income to total income subject to tax (\$8,000/\$32,000) ...25%	
Michigan tax x 25% .....	\$308
Tax imposed by the other state (enter on Schedule 2, line 5a) .....	\$600

Credit allowed is \$308, the lesser of \$308 and \$600 (enter on Schedule 2, line 5b).



## General Information - Homestead Property Tax Credit (MI-1040CR)

The request for your Social Security number is authorized under USC Section 42. Social Security numbers are used by Treasury to conduct matches against benefit income provided by the Social Security Administration and other sources to verify the accuracy of the home heating credit and property tax credit claims filed and to deter fraudulent filings.

### Who May Claim a Property Tax Credit

You may claim a property tax credit if all of the following apply:

- Your homestead is located in Michigan.
- You were a Michigan resident at least six months of 2011.
- You pay property taxes or rent on your Michigan homestead.
- You were contracted to pay rent or own the home you live in.

You can have only one **homestead** at a time, and you must be the occupant as well as the owner or renter. Your homestead can be a rented apartment or a mobile home on a lot in a mobile home park. A vacation home or income property is **not** considered your homestead.

Your homestead is in your state of **domicile**. Domicile is the place where you have your permanent home. It is the place to which you plan to return whenever you go away. Even if you spend the winter in a southern state, your domicile is still Michigan. College students and others whose permanent homes are not in Michigan are **not** Michigan residents. Domicile continues until you establish a new permanent home.

Property tax credit claims may **not** be submitted on behalf of minor children.

**You may not claim a property tax credit if your household income is over \$82,650.** The computed credit is reduced by 10 percent for every \$1,000 (or part of \$1,000) that household income exceeds \$73,650. If filing a part-year return, you must annualize household income to determine if the income limitation applies. See

instructions for annualizing on page 22.

### Which Form to File

Most filers should use MI-1040CR in this booklet.

If you are blind and own your homestead, are in the active military, are an eligible veteran, or an eligible veteran's surviving spouse, request MI-1040CR-2 and complete MI-1040CR and MI-1040CR-2. **Use the form that gives you a larger credit.** If you are blind and rent your homestead, you cannot use MI-1040CR-2. Claim your credit on MI-1040CR and check the appropriate box on line 5.

### When to File

If you are not required to file an MI-1040, you may file your credit claim as soon as you know your 2011 household income and property taxes levied in 2011. If you file a Michigan income tax return, your credit claim should be attached to your MI-1040 return and filed by April 17, 2012, to be considered timely. To avoid penalty and interest, if you owe tax, postmark no later than April 17, 2012. The filing deadline to receive a 2011 property tax credit is April 18, 2016.

### Amending Your Credit Claim

File a new claim form and write "Amended" across the top of the form. You must do this within four years of the date set for filing your original income tax return.

### Delaying Payment of Your Property Taxes

Senior citizens, disabled people, veterans, surviving spouses of veterans, and farmers may be able to delay paying property taxes. Contact your local or county treasurer for more information.

### Household Income

Household income is the total income (taxable and nontaxable) of both spouses or of a single person maintaining a household. It is your AGI, plus all income exempt or excluded from AGI. Include gains realized on the sale of your residence regardless of your age or whether or not these gains are exempt from

federal income tax. (See instructions beginning on page 20.) Forgiveness of debt must also be included household income.

### Household income includes the following items not listed on the form:

- The value over \$300 in gifts of cash or merchandise received, or expenses paid on your behalf (rent, taxes, utilities, food, medical care, etc.) by parents, relatives, or friends
- Scholarship, stipend, grant, or GI bill benefits and payments made directly to an educational institution
- Compensation for damages to character or for personal injury or sickness
- An inheritance (except an inheritance from your spouse)
- Proceeds of a life insurance policy paid on the death of the insured (except benefits from a policy on your spouse)
- Death benefits paid by or on behalf of an employer
- Minister's housing allowance
- Forgiveness of debt, even if excluded from AGI (e.g., mortgage foreclosure)
- Reimbursement from dependent care and/or medical care spending accounts
- Payments made on your behalf except government payments made directly to third parties such as an educational institution or subsidized housing project.

### Household income does NOT include:

- Payments received by participants in the foster grandparent or senior companion program
- Energy assistance grants
- Government payments to a third party (e.g., a doctor)

**Note:** If payment is made from money withheld from your benefit, the payment is part of household income. (For example, the DHS may pay your rent directly to the landlord.)

- Money received from a government unit to repair or improve your homestead
- Surplus food or food assistance program benefits
- State and city income tax refunds and homestead property tax credits

- Chore service payments (these payments are income to the provider of the service)
- The first \$300 from gambling, bingo, lottery, awards, or prizes
- The first \$300 in gifts of cash or merchandise received, or expenses paid on your behalf (rent, taxes, utilities, food, medical care, etc.) by parents, relatives, or friends
- Amounts deducted from Social Security or Railroad Retirement benefits for Medicare premiums
- Life, health, and accident insurance premiums paid by your employer.
- Loan proceeds
- Inheritance **from a spouse**
- Life insurance benefits **from a spouse**
- Payments from a long-term care policy made to a nursing home or other care facility.

For more information on Household Income, visit: [www.michigan.gov/taxhouseholdincome](http://www.michigan.gov/taxhouseholdincome).

### Property Taxes That Can Be Claimed for Credit

Ad valorem property taxes that were levied on your homestead in 2011, including collection fees up to 1 percent of the taxes, can be claimed no matter when you pay them. You may add to your 2011 taxes the amount of property taxes billed in 2011 from a corrected or supplemental tax bill. You must **deduct** from your 2011 property taxes any refund of property taxes received in 2011 that was a result of a corrected tax bill from a previous year.

#### Do not include:

- Delinquent property taxes (e.g., 2010 property taxes paid in 2011)
- Penalty and interest on late payments of property tax
- Delinquent water or sewer bills
- Property taxes on cottages or second homes
- Association dues on your property
- Most special assessments for drains, sewers, and roads do not meet specific tests and may not be included. You may include special assessments only if they are levied using a uniform millage rate, are based on taxable value, and are either levied in the entire taxing jurisdiction or they are used to provide police, fire, or advanced life support services and are levied township-wide, except for all or a portion of a village.

**Note:** School operating taxes are generally only levied on the non-homestead portion of the property and may not be included in taxes levied when computing the property tax credit on any portion of the home not used as your homestead.

**Home used for business.** If you use part of your home for business, you may claim the property taxes on the living area of your homestead, but **not** the property taxes on the portion used for business.

**Owner-occupied duplexes.** When both units are equal, you are limited to 50 percent of the tax on both units, after subtracting the school operating taxes from the total taxes billed.

**Owner-occupied income property.** Apartment building and duplex owners who live in one of the units or single family homeowners who rent a room(s) to a tenant(s) must do two calculations to figure the tax they can claim and base their credit on the **lower** amount. First, subtract 20 percent of the rent collected from the tax claimed for credit. Second, reduce the tax claimed for credit by the amount of tax claimed as rental expense on your U.S. Form 1040.

**Example:** Your home has an upstairs apartment that is rented to a tenant for \$395 a month. Total property taxes on your home are \$2,150. Of this amount, \$858 is claimed as rental expense. The calculations are as follows:

#### Step 1:

$\$395 \times 12 = \$4,740$  annual rent

$\$4,740 \times .20 = \$948$  taxes attributable to the apartment

$\$2,150$  eligible taxes -  $\$948 = \$1,202$  taxes attributable to owner's homestead

#### Step 2:

$\$2,150$  total taxes -  $\$858$  taxes claimed as a business deduction =  $\$1,292$  taxes attributable to homestead

#### Step 3:

The owner's taxes that can be claimed for credit are  $\$1,202$ , the smaller of the two computations.

**Farmers.** Include farmland taxes in your property tax credit claim if any of the following conditions apply:

- If your gross receipts from farming are greater than your household income, you may claim all of your farmland taxes including taxes on

unoccupied farmland. Do **not** include taxes on farmland that is not adjacent or contiguous to your home and that you rent or lease to another person.

- If gross receipts from farming are less than your household income and you have lived in your home **more** than ten years, you may claim the taxes on your home and the farmland adjacent and contiguous to your home.

- If gross receipts from farming are less than your household income and you have lived in your home **less** than ten years, you may claim the taxes on your home and five acres of farmland adjacent and contiguous to your home.

You may **not** claim **rent paid** for vacant farmland when computing your property tax credit claim. Farmland owned by a Limited Liability Company (LLC) may **not** be claimed for a homestead property tax credit by one of the individual members.

Include any farmland preservation tax credit in your household income. Enter the amount of credit you received in 2011 on line 17 or include it in net farm income on line 15.

Homestead property tax credits are **not** included in household income. If you included this amount in your taxable farm income, subtract it from household income.

### Rent That Can Be Claimed for Credit

You must be under a lease or rental contract to claim rent for credit. In most cases, 20 percent of rent paid is considered property tax that can be claimed for credit. The following are exceptions:

- If you rent or lease housing that is subject to a **service charge or fees paid** instead of property taxes, you may claim a credit based upon 10 percent of the gross rent paid. Use the amount the landlord gives you and enter rent paid on line 46 and 10% of rent on line 47, and follow instructions.

- If your housing is **exempt** from property tax and no service fee is paid, you are **not** eligible for credit. This includes university- or college-owned housing.

- If your **housing costs are subsidized**, base your claim on the amount **you** pay. Do not include the federal subsidy amount.

- **If you are a mobile home park resident**, claim the \$3 per month specific tax on line 7, and the balance of rent paid on line 8.
- If you are a **cooperative housing corporation resident member**, claim your share of the property taxes on the building. If you live in a cooperative where residents pay rent on the land under the building, you may also claim 20 percent of that land rent. (Do **not** take 20 percent of your total monthly payment.)
- When you pay **room and board in one fee**, you must determine your portion of the tax that can be claimed for credit based on square footage.

**Example:** You pay \$750 a month for room and board. You occupy 600 square feet of a 62,000 square foot apartment building. The landlord pays \$54,000 in taxes per year. If you pay room and board in separate billings, you must base your property tax credit on rent.

**Step 1:**  $600/62,000 = 0.0097$

**Step 2:**  $\$54,000 \times 0.0097 = \$524$   
taxes you can claim for credit

**Home used for business. If you use part of your apartment or rented home for business, you may claim the rent on the living area of your homestead, but not the rent on the portion used for business.**

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### **If You Moved in 2011**

**Residents** who temporarily lived outside Michigan may qualify for a credit if Michigan remained their state of domicile. Personal belongings and furnishings must have remained in the Michigan homestead **and** the homestead must **not** have been rented or sublet during the temporary absence. (See the definitions of resident on page 6 and domicile on page 17.)

**If you bought or sold your home or moved during 2011**, you must prorate your taxes. Complete MI-1040CR, lines 36 through 42, to determine the taxes that can be claimed for credit. Use only the taxes levied in 2011 on each Michigan homestead, then prorate taxes based on days of occupancy. Do **not** include taxes on out-of-state property.

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### **Part-year Residents**

If you lived in Michigan at least six months during the year, you may be entitled to a partial credit. If you are

a part-year resident, you must include all income received as a Michigan resident in household income (line 28). Complete MI-1040CR, lines 36 through 42, to determine the taxes eligible to be claimed for credit on your Michigan homestead.

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### **Residents of Nursing Homes and Other Adult Care Homes**

If you are a resident of a nursing home, adult foster care home, or home for the aged, that facility is considered your homestead. If the facility pays local property taxes (many do not), you may claim your portion of those taxes for credit. You may **not** claim rent. Ask the manager what your share is or, to determine it yourself, divide the amount of property tax levied on the facility in 2011 by the number of residents for which the facility is licensed. This is your share. If both you and your spouse live in the facility, add your shares together. If you lived in the facility only part of the year, multiply this amount by the portion of the year you lived at the facility.

**Exception:** Credit is not allowed if your care facility charges are paid directly to the facility by a government agency.

If you maintain a homestead and your spouse lives in an adult care home, you may file a joint credit claim. Combine the tax for your homestead and your spouse's share of the facility's property tax to compute your claim.

If you are single and maintain a homestead (that is **not** rented) while living in an adult care home, you may claim either your homestead or your share of the facility's property tax, but not both. Use the one that gives you the larger credit.

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### **Deceased Claimant's Credit**

The estate of a taxpayer who died in 2011 (or 2012 before filing a claim) may be entitled to a credit for 2011. The surviving spouse, other authorized claimant, or personal representative can claim this credit. Use the deceased's Social Security number and the personal representative's address. If taxpayer died after December 31, 2010, enter the date of death in the "Deceased Taxpayers" box on page 2.

The **surviving spouse** may file a joint claim with the deceased. Enter both names and Social Security numbers on the form, and write "DECD" after the deceased's name. Sign the return and write "filing as surviving spouse" in the deceased's signature block. Enter the date of death in the "Deceased Taxpayers" box on the bottom of page 2. Include the deceased's income in household income.

If filing as a **personal representative** or **claimant** to the refund of a single deceased taxpayer, you must attach U.S. Form 1310 or *Michigan Claim for Refund Due a Deceased Taxpayer* (MI-1310). Enter the deceased's name in the Filer's Name fields and the representative's or claimant's name and title in the Home Address field. See the "Deceased Taxpayer Chart of Examples" on page 47. A **claimant** must prorate to the date of death as noted in the following paragraph.

The **personal representative** or **claimant** claiming a credit for a single deceased person or on a jointly filed credit if both filers became deceased during the 2011 tax year, must prorate taxes to the date of death. Complete lines 38 through 42 to prorate the property taxes. Annualize household income. (See the instructions for lines 29 and 34 on page 22.) Attach a copy of the tax bills or rent receipts. If filing as a **personal representative** or **claimant** of deceased taxpayers for a **jointly** filed return, you must attach a U.S. Form 1310 or MI-1310. Enter the names of the deceased persons in the Filer's and Spouse's Name fields and the representative's or claimant's name, title, and address in the Home Address field. See "Deceased Taxpayer Chart of Examples" on page 47.

If you are a personal representative or claimant filing a joint return, see "Deceased Taxpayers" on page 7.

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### **Married During 2011**

If you married during 2011, combine each spouse's share of taxes or rent for the period of time he or she lived in separate homesteads. Then add the prorated share of taxes or rent for the time you lived together in your marital home. This only applies to homes located in Michigan.

## **Married Filing Separately**

Spouses who file separate Michigan income tax returns and share a household are entitled to one property tax credit. Complete your property tax credit claim jointly and include income from both spouses in household income. Divide the credit as you wish. If each spouse claims a portion of the credit, attach a copy of the claim showing each spouse's share of the credit to each income tax return. Enter only your portion of the credit on MI-1040, line 24.

## **Separated and Filing a Joint Return With Your Spouse**

Your claim must be based on the tax or rent for 12 months on only one home. The household income must be the combined income of both you and your spouse for the entire year.

## **Filing Separate Federal and State Returns and Maintaining Separate Homesteads**

You may each claim a credit. Each credit is based on the individual taxes or rent and individual income for each person.

## **Separated or Divorced in 2011**

Figure your credit based on the taxes you paid together before your separation plus the taxes you paid individually after your separation.

Attach a schedule showing your computation. For more information or to help you calculate a prorated share of taxes, see *Michigan Homestead Property Tax Credits for Separated or Divorced Taxpayers* (Form 2105).

**Example:** Bob and Susan separated on October 2, 2011. The annual taxes on the home they owned were \$1,860. Susan continued to live in the home and Bob moved to an apartment on October 2 and paid \$350 per month rent for the rest of the year. Susan earned \$20,000 and Bob earned \$25,000. They lived together for 274 days.

**Step 1:** Calculate the prorated income for each spouse for the 274 days they lived together. Divide each spouse's total income by 365 days, then multiply that figure by 274.

Susan  $(\$20,000/365) \times 274 = \$15,014$   
Bob  $(\$25,000/365) \times 274 = \$18,767$

**Step 2:** Add both prorated incomes together to determine the total income for the time they lived together.

$\$15,014 + \$18,767 = \$33,781$

**Step 3:** Divide each individual's prorated share of income by the total income from Step 2 to determine the percentage of income attributable to each.

Susan  $\$15,014/\$33,781 = 44\%$   
Bob  $\$18,767/\$33,781 = 56\%$

**Step 4:** Calculate the prorated taxes eligible for credit for the time they lived together. Divide the \$1,860 by 365 days, then multiply by 274 days.

$(\$1,860/365) \times 274 = \$1,396$

**Step 5:** Calculate each individual's share of the prorated taxes. Multiply the \$1,396 by the percentages determined in Step 3.

Susan  $\$1,396 \times 44\% = \$614$   
Bob  $\$1,396 \times 56\% = \$782$

Enter these amounts on MI-1040CR, line 41, column A.

Susan uses lines 38 through 41, column B, to compute her share of taxes for the remaining 91 days.

Bob uses lines 43 through 44 to compute his share of rent. Each completes the remaining lines of MI-1040CR according to the form instructions.

## **Single Adults Sharing a Home**

When two or more single adults share a home, each may file a credit claim if each has contracted to pay rent or owns a share of the home. Each adult should file an individual claim based on his or her household income and prorated share of taxes or rent paid.

## **Line-by-Line Instructions for MI-1040CR**

*Lines not listed are explained on the form.*

**Lines 1, 2, and 3:** Enter your name(s), address, and Social Security number(s). If you are married, filing separate claims, enter both Social Security numbers, but do **not** enter your spouse's name.

**Line 5:** Check the box(es) that applies to you or your spouse as of December 31, 2011:

a) Age 65 or older.

Unremarried surviving spouse of a person who was 65 or older at the time of death. You are considered 65 the day before your 65th birthday.

b) Deaf, blind (see page 10, 9c instructions), hemiplegic, paraplegic, quadriplegic, or totally and permanently disabled (as defined under Social Security Guidelines 42 USC 416).

### **Property Tax and Household Income**

Include all taxable and nontaxable income you and your spouse received in 2011. If your family lived in Michigan and one spouse earned wages outside Michigan, include the income earned out of state in your household income. (See "Household Income" on page 17 and "Property Taxes That Can Be Claimed for Credit" on page 18.)

**Line 6:** If you own your homestead, enter the 2011 taxable value from your 2011 property tax statement or assessment notice. If you do not know your taxable value, ask your local assessor. Farmers should include the taxable value on all land that qualifies for this credit.

**Line 7:** Read "Property Taxes That Can Be Claimed for Credit" on page 18 before you complete this line.

**Line 11:** Enter all compensation received as an employee. Include strike pay, supplemental unemployment benefits (SUB pay), sick pay, or long-term disability benefits, including income protection insurance, and any other amounts reported to you on Form W-2.

**Line 13:** Enter the total of the amounts from your U.S. *Schedule C* (business income or loss), U.S. Form 4797 (other gain or loss), and U.S. *Schedule E* (rents, royalties, partnerships, S corporations, estates, and trusts). Include amounts from sources outside Michigan. **Attach these schedules to your claim.**

**Line 14:** Enter all annuity, retirement pension, and IRA benefits and the name of the payer. This should be the taxable amount shown on your U.S. Form 1099-R. If no taxable amount is shown on your U.S. Form 1099-R, use the amount required to be included in AGI.

Enter "0" if all of your distribution is from your contributions made with income previously included in AGI. Include reimbursement payments such as an increase in a pension to pay for Medicare charges. Also include the total amount of any lump sum distribution including amounts reported on your U.S. Form 4972. Do **not** include recoveries of after-tax contributions or amounts rolled over into another plan (amounts rolled over into a Roth IRA must be included to the extent included in AGI).

You must include any part of a distribution from a Roth IRA that exceeds your total contributions to the Roth IRA regardless of whether this amount is included in AGI. Assume that all contributions to the Roth IRA are withdrawn first. **Note:** Losses from Roth IRAs cannot be deducted.

**Line 15:** Enter the amount from U.S. *Schedule F* (farm income or loss). Attach *Schedule F*.

**Line 16:** Enter net capital gains and losses. This is the total of short- and long-term gains, less short- and long-term losses from your U.S. *Schedule 1040D*, line 16 (gains) or line 21 (losses cannot exceed \$3,000). Include gains realized on the sale of your residence regardless of your age or whether or not these gains are exempt from federal income tax.

**Line 17:** Enter alimony received and other taxable income. Describe other taxable income. This includes: awards, prizes, lottery, bingo, and other gambling winnings over \$300; farmland preservation tax credits if not included in net farm income on line 15; and forgiveness of debt to the extent included in federal AGI (e.g., mortgage foreclosure).

**Line 18:** Enter your Social Security, Supplemental Security Income (SSI), and/or Railroad Retirement benefits. Include death benefits and amounts received for minor children or other dependent adults who live with you. Report the amount actually received. Medicare premiums reported on your Social Security or Railroad Retirement statement should be deducted.

**Line 19:** Enter child support and all payments received as a foster parent. **Note:** If you received a *2011 Custodial Party End of Year Statement* (FEN-851) showing child support payments paid to the Friend of the Court, enter the child support portion here and attach a copy of the statement. See line 23.

**Line 20:** Enter all unemployment compensation received during 2011.

**Line 21:** Enter other nontaxable income. This includes:

- The value over \$300 in gifts of cash or merchandise received, or expenses paid on your behalf (rent, taxes, utilities, food, medical care, etc.) by parents, relatives, or friends
- Scholarship, stipend, grant, or GI bill benefits and payments made directly to an educational institution
- Compensation for damages to character or for personal injury or sickness
- Adoption subsidies
- An inheritance (except an inheritance from your spouse)
- Proceeds of a life insurance policy paid on the death of the insured (except benefits from a policy on your spouse)
- Death benefits paid by or on behalf of an employer
- Minister's housing allowance
- Forgiveness of debt (e.g., mortgage foreclosure)
- Reimbursement from dependent care and/or medical care spending accounts
- Payments made on your behalf except government payments made directly to third parties such as an educational institution or subsidized housing project.

**Line 22:** Enter service-connected disability compensation and pension benefits from the Veterans Administration and workers' compensation benefits. Veterans receiving retirement benefits should enter the benefits on line 14.

**Line 23:** Enter the total payments made to your household by the DHS and all other public assistance payments. Your *2011 Client Annual Statement* (DHS-1241) mailed by DHS in January 2012 will show your total DHS payments. Your statement(s) may include the following: Family Independence Program (FIP) assistance, State Disability Assistance (SDA), Refugee Assistance, Repatriate Assistance, and vendor payments for shelter, heat, and utilities. **Note:** If you received a 2011 FEN-851, subtract the amount of child support payments entered on line 19 from the total DHS payments and enter the difference here.

**Line 25:** Enter total adjustments from your U.S. Form 1040, line 36, or U.S. Form 1040A, line 20. Describe

adjustments to income. These adjustments reduce household income and include some of the following:

- Payments to IRAs, SEP, SIMPLE, or qualified plans
- Student loan interest deduction
- Moving expenses **into** or **within** Michigan can be included in Other adjustments (MI-1040CR, line 25) to reduce household income. Moving expenses when moving **out** of Michigan cannot be included in Other adjustments to reduce household income.
- Deduction for self-employment tax
- Self-employed health insurance deduction
- Penalty on early withdrawal of savings
- Alimony paid
- Jury duty pay you gave to your employer
- Archer Medical Savings Account (MSA) deduction
- Any other adjustments to gross income included on line 36 of your 2011 U.S. Form 1040.

Also enter the amount of an NOL deduction. **Note:** A deduction for a carryback or carryforward of an NOL cannot exceed federal modified taxable income. Attach a copy of your MI-1045 (or U.S. Form 1045 if you did not file an MI-1045).

**Line 26:** Enter health insurance premiums, Health Maintenance Organization (HMO) premiums or other insurance premiums paid for yourself and your family. Include the following: medical insurance premiums, dental insurance premiums, vision insurance premiums, prescription drug plan premiums, and automobile insurance premiums (medical care portion only).

Do **not** include any insurance premiums deducted on lines 18 or 25, amounts paid for income protection insurance (long term disability), long-term care insurance, or amounts paid by an employer with pre-tax payroll contributions.

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### Property Tax Credit

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**Line 29:** Multiply line 28 by 3.5 percent (0.035) or the percentage from Table 2. **This is the amount that will not be refunded.** The personal representative claiming a credit for a deceased taxpayer with household income of \$6,000 or less must annualize the deceased's income and use the annualized figure to determine the nonrefundable

percentage from Table 2. Then use the **actual** household income to compute the credit. See instructions for annualizing on this page.

**Line 34:** Taxpayers with household income over \$82,650 (line 28) are not eligible for credit in any category. The computed credit is reduced by 10 percent for every \$1,000 (or part of \$1,000) that your household income exceeds \$73,650. If you are filing a part-year return (for a deceased taxpayer or a part-year resident), you must annualize the household income to determine if the credit reduction applies. If the annualized income is more than \$73,650, use actual household income to compute the credit; then reduce the credit 10 percent for every \$1,000 (or part of \$1,000) that your annualized income exceeds \$73,650. The surviving spouse filing a joint claim does not have to annualize the deceased spouse's income. **To annualize income (project what it would have been for a full year):**

**Step 1:** Divide 365 by the number of days the taxpayer was a Michigan resident in 2011.

**Step 2:** Multiply the answer from step 1 by the taxpayer's household income (line 28). The result is annualized income.

**Line 35:** If you and your spouse had a different residency status, check the box that applies to each spouse.

### Renters

See "Rent That Can Be Claimed for Credit" on page 18.

**Line 43:** If you rented a Michigan homestead subject to local property

taxes, enter the street number and name, city, landlord's name and

### TABLE 3 - HOMESTEAD PROPERTY TAX CREDIT PHASE OUT

Household Income	Percentage allowed for
\$73,651 - 74,650	90%
\$74,651 - 75,650	80%
\$75,651 - 76,650	70%
\$76,651 - 77,650	60%
\$77,651 - 78,650	50%
\$78,651 - 79,650	40%
\$79,651 - 80,650	30%
\$80,651 - 81,650	20%
\$81,651 - 82,650	10%
\$82,651 - above	0%

address, number of months rented, rent paid per month, and total rent paid. Do this for each Michigan homestead rented during 2011 and for each time rental amounts changed. If you need more space, attach an additional sheet. Do **not** include more than 12 months' rent. If you married during 2011, see page 19. Do **not** include amounts paid directly to the landowner on your behalf by a government agency, unless payment is made with money withheld from your benefit. If you pay lot rent on your mobile home, subtract the \$3 per month property tax from the total rental amount and claim the remaining rent on line 44.

**Line 45:** If your housing costs are subsidized check box 45a and enter the total amount of rent **you** paid on line 46 and on line 8. Do not include amounts paid on your behalf by a government agency. Complete lines 9-34 to calculate your credit.

If you lived in Service Fee Housing, check box 45b and enter the amount of rent you paid on line 46 and calculate 10% of the rent entering the 10% on lines 47 and 7 (as property taxes), completing lines 10-34 to calculate your credit.

**Line 48 Special Housing:** If you lived in one of the special housing facilities identified, check the appropriate box and calculate your prorated share of taxes. See "Residents of Nursing Homes and Other Adult Care Homes", "cooperative housing" and "room and board in one fee" on page 19.

### Credit Proration

If you received FIP assistance or other DHS benefits in 2011, prorate your credit to reflect the ratio of income from other sources to total household income. To prorate your credit, complete your MI-1040CR, lines 1 through 30 first, then use the information from your form to complete Worksheet 5 below.

### Alternate Property Tax Credit for Renters Age 65 or Older

**Worksheet 6, Line B:** Enter rent paid from line 44 or, if you live in service fee housing, enter amount from line 46. If you moved from one rental homestead to another during the last two years (also see "If You Moved in 2011" on page 19), enter smaller of:

- The final month's rent on your previous rented homestead multiplied by 12, or
- The actual rent paid from line 44 or line 46.

### TABLE 2 - PERCENT OF TAXES NOT REFUNDABLE

#### ALL GENERAL CLAIMANTS

Income	% of Income
\$0 - \$82,650	3.5%

#### OTHER CLAIMANTS\*

Income	% of Income
\$3,000 or less	0%
\$3,001 - \$4,000	1%
\$4,001 - \$5,000	2%
\$5,001 - \$6,000	3%
More than \$6,000	3.5%

\*Other claimants are senior citizens or people who are paraplegic, hemiplegic, quadriplegic, blind, deaf, or totally and permanently disabled or unremarried spouse of an individual 65 or older.

### WORKSHEET 5 - FIP/DHS BENEFITS

- Enter amount from line 23 (FIP and other DHS benefits).....
- Enter amount from line 28 (Household Income).....
- Subtract line A from line B (if amount is a negative value, enter "0").....
- Divide line C by line B and enter percentage here.....
- If you checked either box on line 5, enter amount from line 30. All others, multiply amount on line 30 by 60% (0.60) and enter here (if over \$1,200, enter \$1,200).....
- Multiply line E by line D. If you are age 65 or older and you rent your home, enter amount here and on line A of Worksheet 6 below.  
**Otherwise, enter here and on your MI-1040CR, line 32**.....

### WORKSHEET 6 - ALTERNATE PROPERTY TAX CREDIT FOR RENTERS AGE 65 AND OLDER

- Enter amount from line 30 or from Worksheet 5, line F, above.....
- Enter rent paid from line 44 or line 46.....
- Multiply amount on line 28 by 40% (0.40) and enter here.....
- Subtract line C from line B. If line C is more than line B, enter "0".....
- Enter the larger of line A or line D here and carry amount to your MI-1040CR, line 32.....