Form **1120-REIT**

Department of the Treasury
Internal Revenue Service

U.S. Income Tax Return for Real Estate Investment Trusts

For calendar year 2009 or tax year beginning _____, 2009, ending _____, 20 ____
© See separate instructions.

OMB No. 1545-1004

2009

A Year of REIT status election	**Please Type or Print**	Name	**C Employer identification number**
B Check if a: 1 REIT with 100% owned subsidiaries (see instructions) ☐ 2 Personal holding co. (attach Sch. PH) ☐		Number, street, and room or suite no. (If a P.O. box, see instructions.)	**D** Date REIT established
		City or town, state, and ZIP code	**E** Total assets (see instructions) $

F Check applicable box(es): (1) ☐ Final return (2) ☐ Name change (3) ☐ Address change (4) ☐ Amended return

G Identify the type of REIT (see instructions): (1) ☐ Equity REIT (2) ☐ Mortgage REIT

H PBA code (see instructions)

Part I—Real Estate Investment Trust Taxable Income (see instructions)

Income (EXCLUDING income required to be reported in Part II or Part IV)

1	Dividends	1	
2	Interest	2	
3	Gross rents from real property	3	
4	Other gross rents	4	
5	Capital gain net income (attach Schedule D (Form 1120))	5	
6	Net gain or (loss) from Form 4797, Part II, line 17 (attach Form 4797)	6	
7	Other income (see instructions—attach schedule)	7	
8	**Total income.** Add lines 1 through 7 ©	8	

Deductions (EXCLUDING deductions directly connected with income required to be reported in Part II or Part IV)

9	Compensation of officers	9	
10	Salaries and wages (less employment credits)	10	
11	Repairs and maintenance	11	
12	Bad debts	12	
13	Rents	13	
14	Taxes and licenses	14	
15	Interest	15	
16	Depreciation (attach Form 4562)	16	
17	Advertising	17	
18	Other deductions (see instructions—attach schedule)	18	
19	**Total deductions.** Add lines 9 through 18 ©	19	
20	Taxable income before net operating loss deduction, total deduction for dividends paid, and section 857(b)(2)(E) deduction. Subtract line 19 from line 8	20	
21	**Less:** a Net operating loss deduction (see instructions) — 21a		
	b Total deduction for dividends paid (Schedule A, line 6) — 21b		
	c Section 857(b)(2)(E) deduction (Schedule J, lines 2c, 2e, and 2f) — 21c	21d	

Tax and Payments

22	**Real estate investment trust taxable income.** Subtract line 21d from line 20	22	
23	**Total tax** (Schedule J, line 7)	23	
24	**Payments:** a 2008 overpayment credited to 2009 — 24a		
	b 2009 estimated tax payments — 24b		
	c Less 2009 refund applied for on Form 4466 — 24c ( ) d Bal © — 24d		
	e Tax deposited with Form 7004 — 24e		
	f Credits: (1) Form 2439 (2) Form 4136 — 24f		
	g Refundable credits from Form 3800, line 19c, and Form 8827, line 8c — 24g	24h	
25	Estimated tax penalty (see instructions). Check if Form 2220 is attached © ☐	25	
26	**Tax due.** If line 24h is smaller than the total of lines 23 and 25, enter amount owed	26	
27	**Overpayment.** If line 24h is larger than the total of lines 23 and 25, enter amount overpaid	27	
28	Enter amount of line 27 you want: **Credited to 2010 estimated tax** © **Refunded** ©	28	

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

© Signature of officer — Date — © Title

May the IRS discuss this return with the preparer shown below (see instructions)? ☐ Yes ☐ No

Paid Preparer's Use Only

Preparer's signature ©	Date	Check if self-employed ☐	Preparer's SSN or PTIN
Firm's name (or yours if self-employed), address, and ZIP code ©		EIN	
		Phone no. ( )	

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

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Part II—Tax on Net Income From Foreclosure Property (Section 856(e)) (see instructions)

1	Net gain or (loss) from the sale or other disposition of foreclosure property described in section 1221(a)(1) (attach schedule)	1		
2	Gross income from foreclosure property (see instructions—attach schedule)	2		
3	Total income from foreclosure property. Add lines 1 and 2	3		
4	Deductions directly connected with the production of income shown on line 3 (attach schedule)	4		
5	Net income from foreclosure property. Subtract line 4 from line 3	5		
6	**Tax on net income from foreclosure property.** Multiply line 5 by 35%. Enter here and on Schedule J, line 2b	6		

Part III—Tax for Failure To Meet Certain Source-of-Income Requirements (Section 857(b)(5)) (see instructions)

1a	Enter total income from Part I, line 8	1a					
b	Enter total income from foreclosure property from Part II, line 3	1b					
c	Total. Add lines 1a and 1b				1c		
2a	Enter income from hedging transactions referred to in section 856(c)(5)(G)	2a					
b	Subtract line 2a from line 1c	2b					
c	Multiply line 2b by 95%				2c		
3	Enter income on line 1c from sources referred to in section 856(c)(2)				3		
4	Subtract line 3 from line 2c. (If zero or less, enter -0-.)				4		
5	Multiply line 1c by 75%				5		
6	Enter income on line 1c from sources referred to in section 856(c)(3)				6		
7	Subtract line 6 from line 5. (If zero or less, enter -0-.)				7		
8	Enter the greater of line 4 or line 7. **(If line 8 is zero, do not complete the rest of Part III.)**				8		
9	Enter the amount from Part I, line 20				9		
10	Enter the net capital gain from Schedule D (Form 1120), line 13				10		
11	Subtract line 10 from line 9				11		
12a	Enter total income from Part I, line 8	12a					
b	Enter the net short-term capital gain from Schedule D (Form 1120), line 5. (If line 5 is a loss, enter -0-.)	12b					
c	Add lines 12a and 12b				12c		
13	Enter capital gain net income from Part I, line 5				13		
14	Subtract line 13 from line 12c				14		
15	Divide line 11 by line 14. Carry the result to five decimal places				15		
16	**Section 857(b)(5) tax.** Multiply line 8 by line 15. Enter here and on Schedule J, line 2c				16		

Part IV—Tax on Net Income From Prohibited Transactions (see instructions)

1	Gain from sale or other disposition of section 1221(a)(1) property (other than foreclosure property)	1		
2	Deductions directly connected with the production of income shown on line 1	2		
3	**Tax on net income from prohibited transactions.** Subtract line 2 from line 1. Enter here and on Schedule J, line 2d	3		

Schedule A Deduction for Dividends Paid (see instructions)

1	Dividends paid (other than dividends paid after the end of the tax year). Do not include dividends considered paid in the preceding tax year under section 857(b)(9) or 858(a), or deficiency dividends as defined in section 860	1		
2	Dividends paid in the 12-month period following the close of the tax year under a section 858(a) election to treat the dividends as paid during the tax year	2		
3	Dividends declared in October, November, or December deemed paid on December 31 under section 857(b)(9)	3		
4	Consent dividends (attach Forms 972 and 973)	4		
5	Total dividends paid. Add lines 1 through 4	5		
6	**Total deduction for dividends paid.** If there is net income from foreclosure property on Part II, line 5, see instructions for limitation on the deduction for dividends paid. Otherwise, enter the total dividends paid from line 5 here and on line 21b of page 1	6		

Schedule J Tax Computation (see instructions)

1	Check if the REIT is a member of a controlled group (attach Schedule O (Form 1120)) © ☐ **Important:** Members of a controlled group, see instructions.				
2a	Tax on REIT taxable income	2a			
b	Tax from Part II, line 6	2b			
c	Tax from Part III, line 16	2c			
d	Tax from Part IV, line 3	2d			
e	Tax imposed under section 857(b)(7)(A) (see instructions)	2e			
f	Tax imposed under sections ☐ 856(c)(7) and ☐ 856(g)(5)	2f			
g	Alternative minimum tax (attach Form 4626)	2g			
h	**Income tax.** Add lines 2a through 2g			2h	
3a	Foreign tax credit (attach Form 1118)	3a			
b	Credit from Form 8834, line 29	3b			
c	General business credit (attach Form 3800)	3c			
d	Other credits (attach schedule—see instructions)	3d			
e	**Total credits.** Add lines 3a through 3d			3e	
4	Subtract line 3e from line 2h			4	
5	Personal holding company tax (attach Schedule PH (Form 1120))			5	
6	Other taxes. Check if from: ☐ Form 4255 ☐ Form 8611 ☐ Other (attach schedule)			6	
7	**Total tax.** Add lines 4 through 6. Enter here and on line 23, page 1			7	

Schedule K Other Information (see instructions)

		Yes	No
1	Check method of accounting:		
a	☐ Cash		
b	☐ Accrual		
c	☐ Other (specify) ©		
2	At the end of the tax year, did the REIT own, directly or indirectly, 50% or more of the voting stock of a domestic corporation? (For rules of attribution, see section 267(c).) If "Yes," attach a schedule showing: **(a)** name and employer identification number (EIN), **(b)** percentage owned, and **(c)** taxable income or (loss) before NOL and special deductions of such corporation for the tax year ending with or within your tax year.		
3	Is the REIT a subsidiary in a parent-subsidiary controlled group? If "Yes," enter the name and EIN of the parent corporation ©		
4	At the end of the tax year, did any individual, partnership, corporation, estate, or trust own, directly or indirectly, 50% or more of the REIT's voting stock? (For rules of attribution, see section 856(h).) If "Yes," attach a schedule showing name and identifying number. (Do not include any information already entered in **3** above.) Enter percentage owned ©		
5	At any time during the tax year, did one foreign person own, directly or indirectly, at least 25% of: **(a)** the total voting power of all classes of stock of the REIT entitled to vote, or **(b)** the total value of all classes of stock of the REIT? If "Yes," enter:		
a	Percentage owned ©		
b	Owner's country ©		
c	The REIT may have to file Form 5472. Enter number of Forms 5472 attached ©		
6	During this tax year, did the REIT pay dividends (other than stock dividends and distributions in exchange for stock) in excess of the REIT's current and accumulated earnings and profits? (See sections 301 and 316.) If "Yes," file Form 5452.		
7	Check this box if the REIT issued publicly offered debt instruments with original issue discount © ☐ If so, the REIT may have to file Form 8281.		
8	Enter the amount of tax-exempt interest received or accrued during the tax year © $		
9	Enter the available NOL carryover from prior tax years. (Do not reduce it by any deduction on line 21a, page 1.) © $		

Schedule L Balance Sheets per Books

		Beginning of tax year		End of tax year	
	Assets	(a)	(b)	(c)	(d)
1	Cash				
2a	Trade notes and accounts receivable				
b	Less allowance for bad debts	( )		( )	
3	U.S. government obligations				
4	Tax-exempt securities (see instructions)				
5	Other current assets (attach schedule)				
6	Loans to shareholders				
7	Mortgage and real estate loans				
8	Other investments (attach schedule)				
9a	Buildings and other depreciable assets				
b	Less accumulated depreciation	( )		( )	
10	Land (net of any amortization)				
11a	Intangible assets (amortizable only)				
b	Less accumulated amortization	( )		( )	
12	Other assets (attach schedule)				
13	Total assets				
	Liabilities and Shareholders' Equity				
14	Accounts payable				
15	Mortgages, notes, bonds payable in less than 1 year				
16	Other current liabilities (attach schedule)				
17	Loans from shareholders				
18	Mortgages, notes, bonds payable in 1 year or more				
19	Other liabilities (attach schedule)				
20	Capital stock: a Preferred stock				
	b Common stock				
21	Additional paid-in capital				
22	Retained earnings—Appropriated (attach schedule)				
23	Retained earnings—Unappropriated				
24	Adjustments to shareholders' equity (see instructions—attach schedule)				
25	Less cost of treasury stock		( )		( )
26	Total liabilities and shareholders' equity				

Schedule M-1 Reconciliation of Income (Loss) per Books With Income per Return (see instructions)

1	Net income (loss) per books		7	Income recorded on books this year not included on this return (itemize): Tax-exempt interest $
2a	Federal income tax $		8	Deductions on this return not charged against book income this year (itemize):
b	Less: Section 856(c)(7) tax, 856(g)(5) tax, 857(b)(5) tax, section 857(b)(7) tax, and built-in gains tax $ ( )		a	Depreciation $
c	Balance ©		b	Net operating loss deduction (line 21a, page 1) $
3	Excess of capital losses over capital gains		c	Deduction for dividends paid (line 21b, page 1) $
4	Income subject to tax not recorded on books this year (itemize):		9	Net income from foreclosure property
5	Expenses recorded on books this year not deducted on this return (itemize):		10	Net income from prohibited transactions
a	Depreciation $		11	Add lines 7 through 10
b	Section 4981 tax $		12	REIT taxable income (line 22, page 1)— line 6 less line 11
c	Travel and entertainment $			
6	Add lines 1 through 5			

Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (Schedule L, line 23)

1	Balance at beginning of year		5	Distributions: a Cash	
2	Net income (loss) per books			b Stock	
3	Other increases (itemize):			c Property	
			6	Other decreases (itemize):	
			7	Add lines 5 and 6	
4	Add lines 1, 2, and 3		8	Balance at end of year (line 4 less line 7)	