

**Note:** *The draft you are looking for begins on the next page.*



## **Caution: DRAFT—NOT FOR FILING**

This is an early release draft of an IRS tax form, instructions, or publication, which the IRS is providing for your information. **Do not file draft forms** and do **not** rely on draft forms, instructions, and publications for filing. We do **not** release draft forms until we believe we have incorporated all changes (except when explicitly stated on this coversheet). However, unexpected issues occasionally arise, or legislation is passed—in this case, we will post a new draft of the form to alert users that changes were made to the previously posted draft. Thus, there are never any changes to the last posted draft of a form and the final revision of the form. Forms and instructions generally are subject to OMB approval before they can be officially released, so we post only drafts of them until they are approved. Drafts of instructions and publications usually have some changes before their final release.

Early release drafts are at [IRS.gov/DraftForms](https://www.irs.gov/DraftForms) and remain there after the final release is posted at [IRS.gov/LatestForms](https://www.irs.gov/LatestForms). All information about all forms, instructions, and pubs is at [IRS.gov/Forms](https://www.irs.gov/Forms).

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product.

If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).

**Mortgage Interest Credit**

(For Holders of Qualified Mortgage Credit Certificates Issued by State or Local Governmental Units or Agencies)

**2020**

Department of the Treasury  
Internal Revenue Service (99)

► Go to [www.irs.gov/Form8396](http://www.irs.gov/Form8396) for the latest information.

Attachment  
Sequence No. **138**

► Attach to Form 1040, 1040-SR, or 1040-NR.

Name(s) shown on your tax return Your social security number

Enter the address of your main home to which the qualified mortgage certificate relates if it is different from the address shown on your tax return.

Name of Issuer of Mortgage Credit Certificate Mortgage Credit Certificate Number Issue date

**Before you begin Part I**, figure the amounts of any of the following credits you are claiming: credit for the elderly or the disabled, alternative motor vehicle credit, and qualified plug-in electric drive motor vehicle credit.

**Part I Current Year Mortgage Interest Credit**

<b>1</b>	Interest paid on the certified indebtedness amount. If someone else (other than your spouse if filing jointly) also held an interest in the home, enter only your share of the interest paid . . . . .	<b>1</b>	
<b>2</b>	Enter the certificate credit rate shown on your <b>Mortgage Credit Certificate</b> . <b>Do not</b> enter the interest rate on your home mortgage . . . . .	<b>2</b>	%
<b>3</b>	If line 2 is 20% or less, multiply line 1 by line 2. If line 2 is more than 20%, or you refinanced your mortgage and received a reissued certificate, see the instructions for the amount to enter . . . . .	<b>3</b>	
<b>You must reduce your deduction for home mortgage interest on Schedule A (Form 1040) by the amount on line 3.</b>			
<b>4</b>	Enter any 2017 credit carryforward from line 16 of your 2019 Form 8396 . . . . .	<b>4</b>	
<b>5</b>	Enter any 2018 credit carryforward from line 14 of your 2019 Form 8396 . . . . .	<b>5</b>	
<b>6</b>	Enter any 2019 credit carryforward from line 17 of your 2019 Form 8396 . . . . .	<b>6</b>	
<b>7</b>	Add lines 3 through 6 . . . . .	<b>7</b>	
<b>8</b>	Limitation based on tax liability. Enter the amount from the Credit Limit Worksheet. See instructions . . . . .	<b>8</b>	
<b>9</b>	<b>Current year mortgage interest credit.</b> Enter the <b>smaller</b> of line 7 or line 8. Also include this amount in the total on Schedule 3 (Form 1040), line 6. Check box <b>c</b> on that line and enter "8396" in the space next to that box . . . . .	<b>9</b>	

**Part II Mortgage Interest Credit Carryforward to 2021** (Complete **only** if line 9 is less than line 7.)

<b>10</b>	Add lines 3 and 4 . . . . .	<b>10</b>	
<b>11</b>	Enter the amount from line 7. . . . .	<b>11</b>	
<b>12</b>	Enter the <b>larger</b> of line 9 or line 10. . . . .	<b>12</b>	
<b>13</b>	Subtract line 12 from line 11 . . . . .	<b>13</b>	
<b>14</b>	<b>2019 credit carryforward to 2021.</b> Enter the <b>smaller</b> of line 6 or line 13 . . . . .	<b>14</b>	
<b>15</b>	Subtract line 14 from line 13 . . . . .	<b>15</b>	
<b>16</b>	<b>2018 credit carryforward to 2021.</b> Enter the <b>smaller</b> of line 5 or line 15 . . . . .	<b>16</b>	
<b>17</b>	<b>2020 credit carryforward to 2021.</b> Subtract line 9 from line 3. If zero or less, enter -0- . . . . .	<b>17</b>	

## General Instructions

### Future Developments

For the latest information about developments related to Form 8396 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/Form8396](http://www.irs.gov/Form8396).

### Purpose of Form

Use Form 8396 to figure the mortgage interest credit for 2020 and any credit carryforward to 2021.

### Who Can Claim the Credit

You can claim the credit only if you were issued a qualified Mortgage Credit Certificate (MCC) by a state or local governmental unit or agency under a qualified mortgage credit certificate program.



*Homestead Staff Exemption Certificates, and certificates issued by the Federal Housing Administration, Department of Veterans Affairs, and Farmers Home Administration, do not qualify for the credit.*

The home to which the certificate relates must be your main home and must also be located in the jurisdiction of the governmental unit that issued the certificate.

If the interest on the mortgage was paid to a related person, you cannot claim the credit.

### Refinanced Mortgage

You can refinance your mortgage without losing this credit if your existing MCC is reissued and the reissued certificate meets all of the following conditions.

- It must be issued to the holder(s) of the existing certificate for the same property.
- It must entirely replace the existing certificate. The holder cannot retain any portion of the outstanding balance of the existing certificate.
- The certified indebtedness on the reissued certificate cannot exceed the outstanding balance shown on the existing certificate.
- The credit rate of the reissued certificate cannot exceed the credit rate of the existing certificate.
- The reissued certificate cannot result in a larger amount on line 3 than would otherwise have been allowable under the existing certificate for any tax year.

For each tax year, you must determine the amount of credit that you would have been allowed using your original MCC. To do this, multiply the interest that was scheduled to be paid on your original mortgage by the certificate rate on your original MCC. The result may limit your line 3 credit allowed when you have a reissued MCC, even if your new loan has a lower interest rate.

If the certificate credit rates are different in the year you refinanced, attach a statement showing separate calculations for lines 1, 2, and 3 for the applicable parts of the year when the original MCC and the reissued MCC were in effect. Combine the amounts from both calculations for line 3. Enter that total on line 3 of the form and enter "see attached" on the dotted line next to line 2.

For more details, see Regulations section 1.25-3(p).

### Recapture of Credit

If you buy a home using an MCC and sell it within 9 years, you may have to recapture (repay) some of the credit. See Pub. 523, Selling Your Home; and Form 8828, Recapture of Federal Mortgage Subsidy.

### Additional Information

See Pub. 530, Tax Information for Homeowners, for more details.

## Specific Instructions

### Part I—Current Year Mortgage Interest Credit

#### Line 1

Enter the interest you paid during the year on the loan amount (certified indebtedness amount) shown on your MCC. In most cases, this will be the amount in box 1 on Form 1098, Mortgage Interest Statement, or on a similar statement you received from your mortgage holder. If the loan amount on your MCC is less than your total mortgage loan, you must allocate the interest to determine the part that relates to the loan covered by the MCC. See Pub. 530 for an example of how to allocate the interest.

#### Line 2

The certificate credit rate cannot be less than 10% or more than 50%.

#### Line 3

If you refinanced, see *Refinanced Mortgage* on this page.

If the certificate credit rate shown on line 2 is more than 20%, multiply line 1 by line 2, but do not enter more than \$2,000 on line 3. If you and someone else (other than your spouse if filing jointly) held an interest in the home, the \$2,000 limit must be allocated to each owner in proportion to the interest held. See *Dividing the Credit* in Pub. 530 for an example of how to make the allocation.

**Reduction of home mortgage interest deduction on Schedule A (Form 1040).** If you itemize your deductions on Schedule A, you must reduce the amount of home mortgage interest you would otherwise deduct on Schedule A by the amount on Form 8396, line 3, and report the reduced amount on Schedule A. You must do this even if part of the amount on line 3 is carried forward to 2021.

### Line 8—Credit Limit Worksheet

*Keep for Your Records*

1. Enter the amount from Form 1040, 1040-SR, or 1040-NR, line 18 . . . . . 1. \_\_\_\_\_
2. **Form 1040 or Form 1040-SR filers:** Enter the amounts from Schedule 3 (Form 1040), lines 1 through 4; line 14 of the Line 14 Worksheet in Pub. 972\*; Form 5695, line 30\*\*; Form 8910, line 15\*\*; Form 8936, line 23; and Schedule R (Form 1040), line 22.  
**Form 1040-NR filers:** Enter the amounts from Schedule 3 (Form 1040), lines 1, 2, and 4; line 14 of the Line 14 Worksheet in Pub. 972\*; Form 5695, line 30\*\*; Form 8910, line 15\*\*; and Form 8936, line 23 . . . . . 2. \_\_\_\_\_
3. Subtract line 2 from line 1. Enter this amount on Form 8396, line 8. If zero or less, enter -0- here and on Form 8396, lines 8 and 9, and go to Part II of Form 8396 . . . . . 3. \_\_\_\_\_

\* If you are filing Form 2555, enter instead the amount, if any, from line 16 of the Child Tax Credit and Credit for Other Dependents Worksheet in Pub. 972. If you are not claiming the child tax credit and credit for other dependents, you do not need Pub. 972.

\*\* If applicable.

### Part II—Mortgage Interest Credit Carryforward to 2021

If the amount on line 9 is less than the amount on line 7, you may have an unused credit to carry forward to the next 3 tax years or until used, whichever comes first. The current year credit is used first and then the prior year credits, beginning with the earliest prior year.

If you have any unused credit to carry forward to 2021, keep a copy of this form to figure your credit for 2021.



*If you are subject to the \$2,000 credit limit because your certificate credit rate is more than 20%, no amount over the \$2,000 limit (or your prorated share of the \$2,000 if you must allocate the credit) may be carried forward for use in a later year.*