

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

Department of the Treasury
Internal Revenue Service

▶ See instructions on back.
▶ Attach to Form 1040.

1995
Attachment
Sequence No. **53**

Name(s) shown on Form 1040	Your social security number : : :
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Enter the address of your main home on which the credit is claimed if it is different than the address shown on Form 1040.

Part I Mortgage Interest Credit

1 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.	1			
2 Enter the certificate credit rate shown on your mortgage credit certificate	2		%	
3 If line 2 is 20% or less, multiply line 1 by line 2. If line 2 is more than 20%, see instructions for amount to enter. You must reduce your mortgage interest deduction on Schedule A (Form 1040) by this amount	3			
4 Enter any credit carryforward from 1992 (line 18 of your 1994 Form 8396)	4			
5 Enter any credit carryforward from 1993 (line 16 of your 1994 Form 8396)	5			
6 Enter any credit carryforward from 1994 (line 19 of your 1994 Form 8396)	6			
7 Add lines 3 through 6.	7			
8 Enter the amount from Form 1040, line 40.	8			
9 Add the amounts from Form 1040, lines 41 and 42, and enter the total	9			
10 Subtract line 9 from line 8. If zero or less, enter -0-.	10			
11 Mortgage Interest Credit. Enter the smaller of line 7 or line 10. See the instructions for the amount of credit to enter on Form 1040, line 44. Be sure to check box b on that line	11			

Part II Mortgage Interest Credit Carryforward to 1996. (Complete **only** if line 11 is less than line 7.)

12 Add lines 3 and 4	12			
13 Enter the amount from line 7	13			
14 Enter the larger of line 11 or line 12.	14			
15 Subtract line 14 from line 13	15			
16 1994 credit carryforward to 1996. Enter the smaller of line 6 or line 15	16			
17 Subtract line 16 from line 15	17			
18 1993 credit carryforward to 1996. Enter the smaller of line 5 or line 17	18			
19 1995 credit carryforward to 1996. Subtract line 11 from line 3. If zero or less, enter -0-	19			

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

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping, 46 min.; Learning about the law or the form, 6 min.; Preparing the form, 42 min.; and Copying, assembling, and sending the form to the IRS, 20 min.**

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write or call the IRS. See the Instructions for Form 1040.

General Instructions

Purpose of Form.—Form 8396 is used by an individual who holds a qualified mortgage credit certificate (MCC) issued by a state or local governmental unit or agency. The form is used to figure the mortgage interest credit for the current year and any carryforward to the following year.

Who May Claim the Credit.—You may claim the credit **only** if you were issued a qualified MCC by a state or local governmental unit or agency under a qualified mortgage credit certificate program.

Caution: *Certificates issued by the Federal Housing Administration, Department of Veterans Affairs, and Farmers Home Administration, and Homestead Staff Exemption Certificates 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.

Refinanced Mortgage Credit Certificates.—You can refinance your mortgage without losing this Federal subsidy if your existing MCC is reissued and the reissued certificate meets the following conditions.

1. The reissued certificate must be issued to the holder(s) of the existing certificate for the same property,
2. The reissued certificate must entirely replace the existing certificate. The holder cannot retain any portion of the outstanding balance of the existing certificate,
3. The certified indebtedness specified on the reissued certificate cannot exceed the outstanding balance shown on the existing certificate,
4. The credit rate (line 2) of the reissued certificate cannot exceed the credit rate of the existing certificate,
5. The reissued certificate cannot result in an increase in a line 3 credit that would otherwise have been allowable under the existing certificate for any tax year, and
6. The issuer (the city, county, or state agency) reissued the certificate after December 21, 1993, but no later than 1 year after the date of refinancing.

If, in the year you refinanced, the certificate credit rates are different, attach a statement showing the 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 of each line 3, enter the total on line 3 of the form and write "see attached" on the dotted line.

For more details, get **Form 8828**, Recapture of Federal Mortgage Subsidy, and read the special rules for refinancing your home, or see Temporary Regulations section 1.25-3T(p).

Related Persons.—If the interest on the mortgage for which the credit certificate was issued was paid to a related person, you cannot claim the credit.

Recapture of Credit.—If you purchased a home after 1990 using an MCC, and sell that home within 9 years, you may have to recapture (repay) a portion of the credit. For more details, get **Pub. 523**, Selling Your Home, and Form 8828.

Specific Instructions

Note: *If you refinanced during the year, see **Refinanced Mortgage Credit Certificates**, above.*

Line 1.—Enter the interest you paid during the year on the loan amount shown on your mortgage credit certificate. In most cases, this will be the amount shown on **Form 1098**, Mortgage Interest Statement, in box 1, or on a similar statement that you received from your mortgage holder. The loan amount (certified indebtedness amount) shown on your MCC may be less than your total mortgage loan. If so, you must allocate the interest to determine what part relates to the amount of the loan covered by the MCC.

Line 3.—If the certificate credit rate shown on line 2 is more than 20%, do not enter more than \$2,000 on line 3.

If you and someone else (other than your spouse if you file jointly) held an interest in the home, the \$2,000 limit must be allocated to each owner in proportion to the interest held. See **Pub.**

530, Tax Information for First-Time Homeowners, for an example of how to make the allocation.

Reduction of Home Mortgage Interest on Schedule A (Form 1040).—If you itemize your deductions on **Schedule A (Form 1040)**, you must subtract the amount shown on line 3 of Form 8396 from the total deductible interest you paid on your home mortgage, even if part of the amount on line 3 is carried forward to 1996.

Line 11.—You may need to complete **Form 6251**, Alternative Minimum Tax—Individuals, because the amount from line 24 of that form may limit the amount of your credit. Use the worksheet below to see if you need to complete Form 6251 and to figure the amount of credit to enter on Form 1040.

Lines 12 through 19.—If the amount on line 11 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. Because the unused credit can only be carried forward for 3 years, you will have to keep track of each year's unused credit. 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 1996, be sure you keep a copy of the form. You will need this information to figure your credit for 1996.

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

Line 11—Worksheet (keep a copy for your records)

1. Enter the amount from Form 8396, line 11 _____
2. Enter the amount from Form 1040, line 22, plus any net operating loss deduction and tax-exempt interest from private activity bonds issued after August 7, 1986 _____
Note: *If line 2 is more than \$150,000 (\$112,500 if single or head of household; \$75,000 if married filing separately) OR you file Schedule C, C-EZ, D, E, or F, of Form 1040, complete Form 6251 through line 24. Then, complete only lines 5, 8, 9, and 10 below. Otherwise, go to line 3.*
3. Enter \$45,000 (\$33,750 if single or head of household; \$22,500 if married filing separately) _____
4. Subtract line 3 from line 2. If zero or less, **stop here**; enter on Form 1040, line 44, the amount from line 1 above. Otherwise, go to line 5. _____
5. Enter the amount from Form 8396, line 10 _____
6. Multiply line 4 by 26% (.26) _____
7. Subtract line 6 from line 5. If zero or less, enter -0-. _____
Next: *If line 7 is equal to or more than line 1 above, stop here; enter the amount from line 1 on Form 1040, line 44. Otherwise, complete Form 6251 through line 24, and lines 8, 9, and 10 below.*
8. Enter the amount from Form 6251, line 24 _____
9. Subtract line 8 from line 5. If zero or less, enter -0-. _____
10. Enter the smaller of line 1 or line 9 here and on Form 1040, line 44. If line 9 is the smaller amount, write "AMT" in the left margin next to line 44 and replace the amount on Form 8396, line 11, with this line 10 amount. Also check box **b** on line 44 of Form 1040. _____