

Instructions for PART A

SUBTRACTION FOR PRESERVATION OF HISTORIC PROPERTY

NOTE: The subtraction for preservation of historic property has been repealed for taxable years beginning after December 31, 1996. However, certified rehabilitation expenses made prior to January 1, 1997 may continue to be amortized over a 60 month period.

Who May File

A claim for a subtraction for rehabilitation of a historic structure or building may be made by those taxpayers who own a building or structure which is a certified historic structure that has had certified rehabilitation. The intent of the legislation creating this subtraction is to allow a subtraction for rehabilitation of historic properties and not to provide tax relief for routine maintenance, alteration or stop-gap repairs that do not correct the situation that has created the need for repair.

What Structures Qualify

A "Certified Historic Structure" means a building or structure which is not used in a trade or business or held for the production of income. It must be either listed in the National Register of Historic Places; located in a Registered Historic District and certified as being of historic significance by the U.S. Secretary of the Interior or the Maryland Historical Trust; designated by a certified local government as an individual historic site; located in a district designated by a certified local government as an individual historic site; or located in a district designated as historic by a certified local government and certified as being of historic significance in the district by the certified local government.

Amortization Basis

The amortization basis (column 2) represents the amount expended for certified rehabilitation costs only and does not include the purchase price of the property. Expenditures arising from the regular and normal or scheduled maintenance of the structure will not qualify for amortization. The date of basis (column 3) is the date payment was made for the amount of the certified rehabilitation cost.

Election

The basis shall be amortized over a period of 60 months. The 60 month period shall begin, at the election of the taxpayer, with the month following the month in which the basis is acquired, or with the succeeding taxable year.

Rate or %

If the taxpayer elects to begin amortizing the basis in the succeeding taxable year, enter 20% in column 5, multiply the amount of the basis by that percentage and enter the result in column 6, "Subtraction For This Year". This is your subtraction.

If the taxpayer elects to begin with the month following the month in which the basis is acquired, the maximum percent-

age (20%) must be prorated for the number of months in the taxable year. Enter the prorated percentage in column 5. Multiply the amount of the basis (column 2) by the percentage and enter in column 6. Example: If the basis is acquired in July, the month in which amortization may begin is August. Multiply 20% by the remaining months (5) and divide by twelve. The result is 8.33%, which should be entered in this column.

Qualifying Guidelines

Certified rehabilitation is any rehabilitation of a structure for the purpose of stabilizing or restoring the structure. Stabilization is the process of authentically preserving the structure in its present state and arresting further deterioration.

Rehabilitation must be authentic and accurately preserve and/or rehabilitate the structure in accordance with its appearance at the period in history for which the structure is historically significant.

Certified rehabilitation includes but is not limited to interior or exterior restoration, structural work and other necessary improvements in wiring, plumbing and other utilities, provided such devices existed in the structure in the period for which it is historically significant.

Landscaping expenses are not allowed unless they involve an historically accurate rehabilitation of a fully documented garden, garden walk or garden wall or when they involve the correction of a drainage problem which is adversely affecting the building.

How To File

If you are completing this form for certification of expenses, complete documentation form on page 4, mail the form and "before and after" photographs of the rehabilitated portions of the structure to the Maryland Historical Trust, 100 Community Place, Crownsville, Maryland 21032-2023. The Trust will review your documentation and make its determination as to the allowable expenses and return the Form 502H to you with its complete or conditional approval. The approved expenses may then be amortized on page 1.

If you do not receive the certified form before the due date for filing your income tax return, you may use a copy of the form. The expenses claimed will be subject to audit and revision pending the completion of the certification by the Maryland Historical Trust.

If you are filing this form to amortize expenses certified by the Trust in a prior year, complete Worksheet A and attach it to your Maryland return.

The total subtraction for the year from Worksheet A, column 6 should be entered on line 30 of Form 502, line 22 of Form 505 or line 6 of Form 504.

PART A SUBTRACTION
DOCUMENTATION OF HISTORIC REHABILITATION
(expenses prior to January 1, 1997)

Property name (if any) _____ Approximate date of construction _____

Address _____

Is your property listed in the National Register? _____ Date entered _____

Is your property within a National Register Historic District? _____

Name of district _____ Date entered _____

Is your property within a locally designated historic district? _____

Name of district _____ Date entered _____

Did your rehabilitation work require Historic District Commission concurrence? _____

Date approved _____

Is your property designated as an individual historic site by a certified local government? _____

Date designated _____

Is the property described above your legal residence? _____

NOTE: IF "NO", YOU DO NOT QUALIFY FOR THIS SUBTRACTION

Do you rent all or part of the property? _____

Do you operate a business on this property? _____

Attache a detailed description of rehabilitation work and a summary of expenses.

Have you consulted early pictures, written descriptions or research on similar buildings in your area, or otherwise attempted to ascertain the accuracy and adequacy of your rehabilitation? _____

**"BEFORE AND AFTER" PHOTOGRAPHS OF THE REHABILITATED PORTION(S)
OF THE STRUCTURE MUST BE ATTACHED.**
Do not submit photographs with your tax return

Under the penalties of perjury, I declare that I have examined this form, including accompanying additional documentation, and to the best of my knowledge and belief it is true, correct, and complete.

Your signature and date

Spouse's signature and date
(if subtraction applies to a joint return)

Certification by Maryland Historical Trust

Administrator of Project Review and Compliance

Expenses approved as submitted.

Chief of Office of Preservation Services

Expenses modified as detailed in attachment.

Instructions for PART B

CREDIT FOR HERITAGE PRESERVATION AND TOURISM AREAS

Who May File

A credit against state income tax equal to 10% of the amount expended in the rehabilitation of a certified heritage structure is provided for all taxable years beginning after December 31, 1996. The credit is available for owner-occupied residential property as well as income producing property.

Allowable Expenditures

This credit is allowed for substantial rehabilitation expenditures incurred in a 24 month period. Substantial expenditures are those exceeding \$5,000 for owner-occupied residential property or the greater of the adjusted basis of the structure or \$5,000 for all other property.

Worksheet B

Column 1 - Enter description and location of each certified heritage structure as shown on the Heritage Preservation Certification Application.

Column 2 - Enter amount of total expenditures for each certified heritage structure.

Column 3 - Allowable rate (10% for 1997).

Column 4 - Multiply column 2 by column 3 and enter the results.

Total - Enter total of allowable credits.

Application of Credit

If you are claiming other business tax credits on Form 500CR, enter total from Worksheet B on line 51 of Form 500CR; otherwise, enter on line 10c of Form 500 or line 68 of Forms 502 or 505.

For personal income tax, this credit is limited to the amount of Maryland tax after application of credits for taxes paid to other states. Any excess credit amount may be carried forward until the earlier of the full amount of the excess is used or the expiration of the tenth taxable year after the taxable year in which the certified rehabilitation is completed.

Credit Transfer

The amount of any credit unused at the time of sale or transfer of the property may be transferred to the individual or business entity to which the building is sold or transferred.

Attachment of Forms

Attach your completed Form 502H along with a copy of the approved Heritage Preservation Certification Application to your tax return. Failure to do so will result in your credit being disallowed.

For questions concerning certification contact:

The Maryland Historical Trust
100 Community Place
Crownsville, Maryland 21032-2023
410-514-7630

For questions concerning the credit computation contact:

Revenue Administration Division
Annapolis, Maryland 21411-0001
410-974-3981 from central Maryland
1-800-MD TAXES from elsewhere