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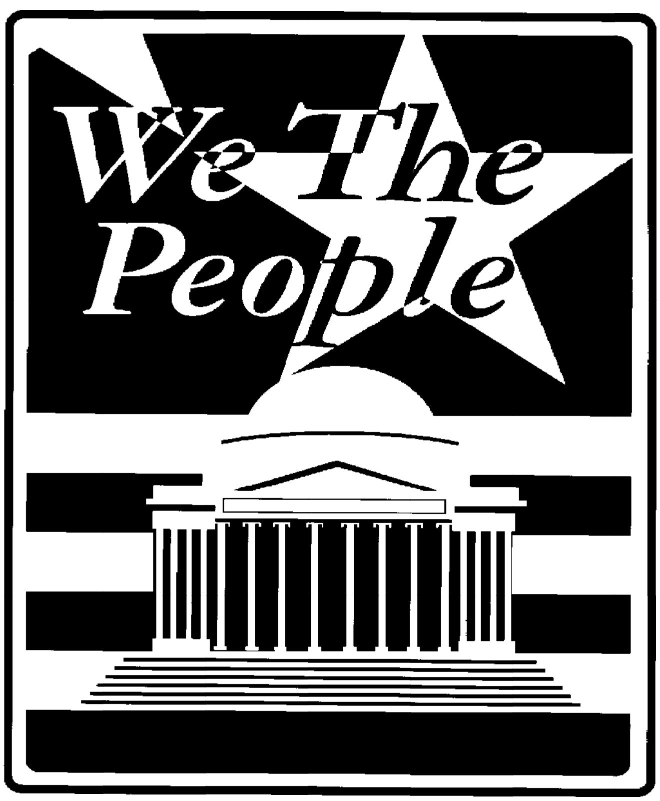
Tax Information for First-Time Homeowners

For use in preparing

1994 Returns



Contents

Important Change for 1994

Points paid by seller. You may be able to deduct points paid on your mortgage by the person who sold you your home. See *Points* under *Home Mortgage Interest.* You also may have to reduce your basis in your home by seller-paid points. See *Points paid by seller* under *Cost as Basis*.

Introduction

This publication provides tax information for first-time homeowners. Your first home may be a mobile home, a single-family house, a townhouse, a condominium, or a cooperative apartment.

If you have recently acquired a home, you probably have many tax questions about how to treat items such as settlement and closing costs, real estate taxes, home mortgage interest, and repairs. This publication discusses these topics. It explains what you can and cannot deduct on your tax return, and it contains charts and examples to guide you. It also explains the tax credit you can claim if you received a mortgage credit certificate when you bought your home.

This publication explains why it is important to keep track of your basis in your home. This means keeping track of what your home costs you, including any improvements you might make. The publication also tells you what records to keep as proof of the cost or basis.

This publication does not include information about other topics related to owning a home. See *Table 1* to find the free IRS publication that covers the topic you may need more information on.

Ordering publications and forms. To order free publications and forms, call our toll-free telephone number 1–800–TAX–FORM (1–800–829–3676). If you have access to TDD equipment, you can call 1–800–829–4059. See your tax package for the hours of operation. You can also write to the IRS Forms Distribution Center nearest you. Check your income tax package for the address.

Asking tax questions. You can call the IRS with your tax question Monday through Friday during regular business hours. Check your telephone book or your tax package for the local number or you can call toll-free 1–800–829–1040 (1–800–829–4059 for TDD users).

What You Can and Cannot Deduct

To deduct expenses of owning a home, you must file Form 1040 and itemize your deductions on Schedule A (Form 1040). If you choose to itemize, you cannot take the standard deduction. See the Form 1040 instructions if you have questions about whether you should itemize your deductions or claim the standard deduction.

This section discusses what expenses you can deduct as a homeowner. It also points out payments that are not deductible. It is divided into two primary parts: real estate taxes and home mortgage interest. Generally, your real estate taxes and home mortgage interest are included in your house payment.

Your house payment. If you took out a loan (mortgage) to finance the purchase of your home, you are probably required to make monthly house payments. Your house payment may cover several costs of owning a home. The only costs you can deduct are interest that qualifies as home mortgage interest and real estate taxes actually paid to the taxing authority. These are discussed later in detail.

You cannot deduct other items included in your house payment, such as an amount placed in escrow to buy fire or homeowner's insurance, FHA mortgage insurance premiums, and the amount applied to reduce the principal of the mortgage.

Minister's or military housing allowance. If you are a minister or a member of the uniformed services and receive a nontaxable housing allowance, you can still deduct all of your real estate taxes and deductible interest on your home mortgage. You do not have to reduce your deductions by your nontaxable allowances.

Nondeductible payments. You cannot deduct any of the following:

1) Insurance, including fire and comprehensive coverage, and title and mortgage insurance,
2) Wages you pay for domestic help,
3) Depreciation, or
4) Utility fees.

Limit on itemized deductions. Certain itemized deductions (including real estate taxes and home mortgage interest) are limited if your adjusted gross income is more than $111,800 ($55,900 if you are married filing separately). If you need more information about this limit, see the instructions for Schedule A (Form 1040).

Table 1. **Other IRS Publications You May Need**

If You:	Get:
1. Sell your home	Publication 523, *Selling Your Home*
2. Rent your home	Publication 527, *Residential Rental Property (Including Rental of Vacation Homes)*
3. Have damage to your home from a fire, storm, or other casualty	Publication 547, *Nonbusiness Disasters, Casualties, and Thefts*
4. Own a home in a community property state	Publication 555, *Federal Tax Information on Community Property*
5. Use part of your home for business purposes	Publication 587, *Business Use of Your Home*
6. Need more information on your deduction for home mortgage interest	Publication 936, *Home Mortgage Interest Deduction*
7. Receive your home as a gift, inheritance, or transfer from your former spouse	Publication 551, *Basis of Assets*

Real Estate Taxes

Most state and local governments charge an annual tax on the value of real property. This is referred to as a ***real estate tax***. For the tax to be deductible, the taxing authority must charge a uniform rate on all property in its jurisdiction. The tax also must be for the welfare of the general public and not be a payment for a special privilege granted or service rendered to you.

An itemized charge for services to specific property or people is not a tax, even if the charge is paid to the taxing authority. You cannot deduct the charge as a real estate tax if it is:

1) A unit fee for the delivery of a service (such as a $5 fee charged for every 1,000 gallons of water you use),
2) A periodic charge for a residential service (such as a $20 per month or $240 annual fee charged for trash collection), or
3) A flat fee charged for a single service provided by your local government (such as a $30 charge for mowing your lawn because it had grown higher than permitted under a local ordinance).

Caution: You must look at your real estate tax bill to determine if any nondeductible itemized charges, such as those just listed, are included in the bill. If your taxing authority (or lender) does not furnish you a copy of your real estate tax bill, ask for it.

Assessments for local benefits. You cannot deduct amounts you pay for local benefits that tend to increase the value of your property, such as for the construction of streets, sidewalks, or water and sewer systems. You must add them to the basis of your property.

You can deduct assessments (or taxes) you paid for maintenance, repair, or interest charges related to local benefits (for example, a charge to repair an existing sidewalk and any interest included in that charge).

If only a part of the assessment is for maintenance, repair, or interest charges, you must be able to show the amount of that part to claim the deduction. If you cannot determine what part of the assessment is for maintenance, repair, or interest charges, you cannot deduct any of it.

An assessment for a local benefit may be listed as an item in your real estate tax bill. If so, use the rules in this section to find how much, if any, of it you can deduct.

Homeowners association assessments. You cannot deduct these assessments because they are imposed by the homeowners association rather than a state or local government.

Deductible Taxes

You can deduct real estate taxes that are imposed on you and that you either paid at settlement or closing, or paid to a taxing authority (either directly or through an escrow account) during the year. You can also deduct your share of the corporation's deductible taxes if you own a cooperative apartment. See *Special Rules for Cooperatives,* later.

Enter the amount of your deductible real estate taxes on line 6 of Schedule A (Form 1040).

Real estate taxes paid at settlement or closing. Real estate taxes are usually divided so that you and the seller each pay taxes for the part of the property tax year each of you owned the home. Your share of these taxes is fully deductible.

Division of real estate taxes. For federal income tax purposes, the seller is treated as paying the property taxes up to, but not including the date of sale, and you (the buyer) are treated as paying the taxes beginning with the date of sale, regardless of the property tax accrual or lien dates under local law. You and the seller each are considered to have paid your own share of the taxes, even if one or the other paid the entire amount. You can each deduct your own share, if you itemize deductions, for the year the property is sold.

Example. You bought your home on September 1. The property tax year (the period to which the tax relates) in your area is the calendar year. The tax for the year was $730 and was due and paid by the seller on August 15.

You owned your new home during the real property tax year for 122 days (September 1 to December 31, including your date of purchase). You figure your deduction for real estate taxes on your home as follows:

1.	Enter the total real estate taxes for the real property tax year	$730
2.	Enter the number of days in the real property tax year that you owned the property	122
3.	Divide line 2 by 365	.33
4.	Multiply line 1 by line 3. This is your deduction. Enter it on line 6 of Schedule A (Form 1040)	$241

You can deduct $241 on your return for the year, if you itemize your deductions. You are considered to have paid this amount and can deduct it on your return, even if you were not required under the contract to reimburse the seller.

Adjustments to basis. For information on real estate taxes that may increase or decrease your basis, see the discussion on *Real estate taxes,* later under *Figuring Your Basis.*

Escrow accounts. If your monthly house payment includes an amount placed in escrow (put in the care of a third party) for real estate taxes, you cannot deduct the total of these amounts. You can deduct only the real estate taxes that the lender actually paid from escrow to the taxing authority.

If the lender (or taxing jurisdiction) does not furnish you a copy of the real estate bill, ask for it. You will need it to determine if the amount paid includes any nondeductible itemized charges for services or local benefits.

Refund or rebate of real estate taxes. If you receive a refund or rebate of real estate taxes in 1994 for amounts you paid in 1994, you must reduce your real estate tax deduction by the amount refunded to you. If the refund or rebate was for real estate taxes paid before 1994, you may have to include some or all of the refund in your income. For more information, see *Recoveries* in Publication 525, *Taxable and Nontaxable Income.*

Special Rules for Cooperatives

If you own a ***cooperative apartment,*** some special rules apply to you, even though you generally receive the same tax treatment as other homeowners. As an owner of a cooperative apartment, you own shares of stock in a corporation that owns or leases housing facilities. You can deduct your share of the corporation's deductible real estate taxes if the ***cooperative housing corporation*** meets all of the following conditions:

1) The corporation has only one class of stock outstanding,
2) Each of the stockholders can, solely because of ownership of the stock, live in (for dwelling purposes) a house, an apartment, or a house trailer owned or leased by the corporation,
3) No stockholder can receive any distribution out of capital, except on a partial or complete liquidation of the corporation, and
4) The tenant-stockholders must pay at least 80% of the corporation's gross income for the tax year. For this purpose, gross income means all income received during the entire tax year, including any received before the corporation changed to cooperative ownership.

Tenant-stockholders. A tenant-stockholder can be any entity (such as a corporation, trust, estate, partnership, or association) as well as an individual. A tenant-stockholder has the right to occupy one or more dwelling units in the cooperative. The tenant-stockholder does not have to live in any of the units. The units can be rented to others.

Deductible taxes. You figure your share of real estate taxes in the following way:

1) Divide the number of your shares of stock by the total number of shares outstanding, including any shares held by the corporation.
2) Multiply the corporation's deductible real estate taxes by the number you figured in (1). This is your share of the real estate taxes.

Generally, if the corporation gives you a share of its real estate tax deduction and that amount reasonably reflects the cost of real estate taxes for your dwelling unit, that amount is your share of the real estate tax.

Refund of real estate taxes. You must reduce your deduction by your share of any refund the corporation received for real estate taxes it paid before 1994.

Home Mortgage Interest

This section of the publication gives you basic information about home mortgage interest, including interest paid at settlement, points, and Form 1098, *Mortgage Interest Statement.*

Most home buyers take out a mortgage (loan) to buy their home. They then make monthly house payments to either the mortgage holder or someone collecting the payments for the mortgage holder. See *Your house payment,* earlier under *What You Can and Cannot Deduct.*

In most cases, you can deduct the entire part of your house payment that is for mortgage interest, if you itemize your deductions on Schedule A (Form 1040). However, your deduction may be limited if:

1) Your total mortgage balance is more than $1 million ($500,000 if married filing separately), or
2) You took out a mortgage for reasons other than to buy, build, or improve your home.

If either of these situations applies to you, you will need to get Publication 936, *Home Mortgage Interest Deduction.* You may also need Publication 936 if you later refinance your mortgage or buy a second home.

Deductible Mortgage Interest

To be deductible, the interest you pay must be on a loan secured by your main home or a second home. The loan can be a first or second mortgage, a home improvement loan, or a home equity loan.

Prepaid interest. If you pay interest in advance for a period that goes beyond the end of the tax year, you must spread this interest over the tax years to which it applies. You can deduct in each year only the interest that qualifies as home mortgage interest for that year. However, there is an exception. See the discussion on *Points,* later.

Mortgage prepayment penalty. If you pay off your mortgage early, you may have to pay a penalty. That penalty is treated as deductible home mortgage interest.

Ground rent. In some states (Maryland for example), you may buy your home subject to a ground rent. A ground rent is an obligation you assume to pay a fixed amount per year on the property. Under this arrangement, you are leasing (rather than buying) the land on which your home is located.

Redeemable ground rents. If the payments you make are on a redeemable ground rent, you can deduct them as mortgage interest. The ground rent is a redeemable ground rent only if all of the following are true:

1) Your lease, including renewal periods, is for more than 15 years.
2) You can freely assign the lease.
3) You have a present or future right, existing only because of state or local law, to end the lease and buy the lessor's entire interest in the land by paying a specified amount.
4) The lessor's interest in the land is primarily a security interest to protect the rental payments to which he or she is entitled.

Payments made to end the lease and to buy the lessor's entire interest are not redeemable ground rents. You cannot deduct them.

Payments on a nonredeemable ground rent. Payments on a nonredeemable ground rent are not home mortgage interest. You can deduct them as rent if you use the property for business or rental purposes.

Cooperative apartment. If you own a cooperative apartment and the corporation meets the conditions described earlier under *Special Rules for Cooperatives*, you can deduct your share of the corporation's deductible mortgage interest. Figure your share of mortgage interest the same way that is shown for figuring your share of real estate taxes.

Refund of mortgage interest. You must reduce your deduction by your share of any cash portion of a patronage dividend that is a refund to the corporation of mortgage interest it paid before 1994.

Mortgage Interest Paid at Settlement

One of the items that normally appears on a settlement or closing statement is home mortgage interest.

You can deduct the interest that you pay at settlement if you itemize your deductions on Schedule A of the Form 1040 you file for the year of purchase. This amount should be included in the mortgage interest statement provided by your lender. See the discussion under *Mortgage Interest Statement,* later. Also, if you pay interest in advance, see *Prepaid interest,* earlier, and *Points,* next.

Points

The term ''points'' is used to describe certain charges paid, or treated as paid, by a borrower to obtain a home mortgage. The term ''points'' also describes certain charges that a home seller pays to a lender for the buyer's mortgage. Points may also be called loan origination fees, maximum loan charges, loan discount, or discount points.

General rule. You cannot deduct the full amount of points in the year paid. You must spread the points over the life (term) of the mortgage. Generally, you can deduct an equal portion in each year of the mortgage.

Exception 1. You can fully deduct in 1994 the amount paid on your loan as points if all the following are true:

1) Your loan was used to buy your main home. (Your main home is the one you live in most of the time.)
2) Your loan is secured by your main home.
3) Paying points is an established business practice in the area where the loan was made.
4) The points paid were not more than the points generally charged in this area.
5) You use the cash method of accounting. This means you report income in the year you receive it and deduct expenses in the year you pay them. Most individuals use this method.
6) The points were for the use of money, not for other services.
7) The points were paid with funds you did not borrow from your lender or mortgage broker.

Exception 2. You can fully deduct in 1994 the amount paid on your loan as points if all the following are true:

1) Statements (1) through (5) under *Exception 1* are true.
2) The points were computed as a percentage of the principal amount of the mortgage.
3) The points were not paid in place of amounts that ordinarily are stated separately on the settlement statement, such as appraisal fees, inspection fees, title fees, attorney fees, and property taxes.
4) The amount is clearly shown on the settlement statement as points incurred in connection with the mortgage. The points may be shown as paid from either your funds or the seller's.
5) At least one of the following is true:
   a) You paid an amount from your own funds that is at least as much as the points charged to you. This amount cannot have been borrowed from your lender or mortgage broker. You do not have to have paid the points with these funds. You can have applied the funds to a down payment, escrow deposit, or earnest payment, or paid them over for any purpose at the closing.
   b) The points were paid by the seller, and you reduce your basis in the home by the amount of seller-paid points. See *Points paid by seller* under *Basis,* earlier.

Note. *Exception 2* also applies to a loan origination fee charged for services for getting a conventional, VA, or FHA loan to buy your main home (other than services for which a fee is ordinarily stated separately, as described in (3) above).

Funds provided are less than points. If you meet all the tests in *Exception 2* except that the funds you provided were less than the points charged to you, you can deduct the points in the year paid up to the amount of funds you provided. In addition, you can deduct any points paid by the seller.

Example 1. When you took out a $100,000 mortgage loan to buy your home in December 1994, you were charged one point ($1,000). You meet all the tests for deducting points in *Exception 2* except the only funds you provided were a $750 down payment. Of the $1,000 you were charged for points, you can deduct $750 in 1994.

Example 2. Assume the same facts as in Example 1, except that the person who sold you your home also paid one point ($1,000) to help you get your mortgage. In 1994, you can deduct $1,750 ($750 of the amount you were charged plus the $1,000 paid by the seller). You must reduce the basis of your home by the $1,000 paid by the seller.

Figure 1. You can use *Figure 1* as a quick check to see if points are fully deductible in the year paid.

Home improvement loan. You also may be able to deduct the full amount of points you pay on a loan used to improve your home. See Publication 936 for more information.

Excess points. If the points paid were more than are generally paid in your area, you can deduct in 1994 only the points that are normally charged. Any additional points are considered prepaid interest and you can deduct them over the life of the mortgage. See *Prepaid interest,* earlier.

Amounts charged for specific services. Amounts paid for specific services that the lender performs in connection with your account are not home mortgage interest. Examples include the lender's appraisal fee, the cost of preparing the mortgage note or deed of trust, settlement fees, and notary fees. An amount listed on your settlement statement as points (such as a loan origination fee) may be deductible, even if it is charged for the lender's services, but only if the amount otherwise falls within *Exception 2,* earlier.

Points paid by seller in 1991, 1992, or 1993. You can deduct seller-paid points on an amended return, if:

1) The person who sold you your home paid points on your mortgage in 1991, 1992, or 1993,
2) You did not deduct the points on your original return for the year paid, and
3) You meet the tests for deducting the points described under *Exception 1* or *Exception 2,* earlier.

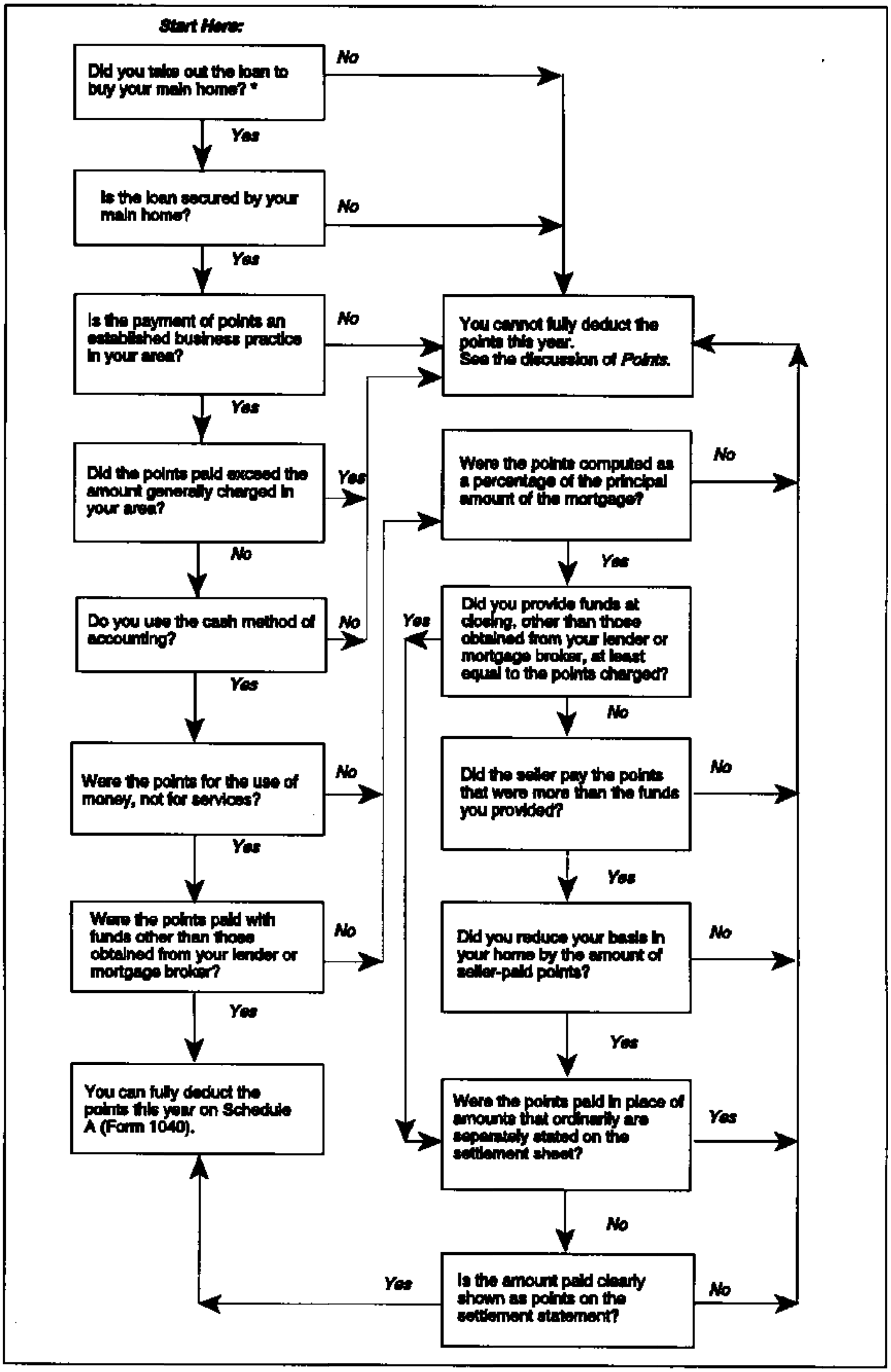
File an amended return for the year the points were paid. Use Form 1040X, *Amended U.S. Individual Income Tax Return*. Write ''Seller-Paid Points'' in the top right margin of the amended return and attach a copy of the settlement statement showing the points.

Generally, you must file the amended return within 3 years from the date your original return was filed or within 2 years from the date the tax was paid, whichever is later. For details, get Publication 556, *Examination of Returns, Appeal Rights, and Claims for Refund.*

Where To Deduct Home Mortgage Interest

Enter on line 10 of your Schedule A (Form 1040) the home mortgage interest and points reported to you on Form 1098, *Mortgage Interest Statement* (discussed next). If you did not receive a Form 1098, enter your deductible interest on line 11, and any deductible points on line 12.

Figure 1. Are My Points Fully Deductible This Year?



* If you took out a loan to improve your home, see Publication 936 to determine if your points are deductible.

If you paid home mortgage interest to the person from whom you bought your home, show that person's name, address, and social security number (SSN) or employer identification number (EIN) on the dotted lines next to line 11. You must also give that person your SSN. Failure to meet either of these requirements may result in a $50 penalty for each failure.

Mortgage Interest Statement

If you paid mortgage interest of $600 or more during the year on any one mortgage to a mortgage holder in the course of that holder's trade or business, you should receive a **Form 1098,** *Mortgage Interest Statement,* or similar statement from the mortgage holder. The statement will show the total interest paid on your mortgage during the year. It will also show the deductible points you paid during the year. However, it may not show points you can deduct that were paid by the person who sold you your home. See *Points,* earlier.

The interest you paid at settlement should be included on the statement. If it is not, add the interest from the settlement sheet that qualifies as home mortgage interest to the total shown on Form 1098 or similar statement. Put the total on line 10 of Schedule A (Form 1040) and attach a statement to your return explaining the difference. Write ''see attached'' next to line 10.

A mortgage holder can be a financial institution, a governmental unit, or a cooperative housing corporation. If a statement comes from a cooperative housing corporation, it will generally show your share of interest.

You should receive your mortgage interest statement each year by January 31. A copy of this form will also be sent to the IRS.

Example. You bought a new home on May 3. You paid no points on the purchase. During the year, you made mortgage payments which included $1,872 deductible interest on your new home. The settlement sheet for the purchase of the home included interest of $232 for 29 days in May. The statement you receive from the lender includes total interest of $2,104 ($1,872 + $232). You can deduct the $2,104 if you itemize your deductions.

Refund of home mortgage interest. If you receive a refund in 1994 of home mortgage interest you paid before 1994, the amount generally will be shown in box 3 of Form 1098. Even if the refunded interest is not shown in box 3, you must include it in income on Form 1040, line 21, if you deducted it in an earlier year and the deduction reduced your tax. For more information, see *Recoveries* in Publication 525, *Taxable and Nontaxable Income*.

Table 2. **Where to Deduct Your Real Estate Taxes and Your Home Mortgage Interest**

Deductible real estate taxes	Schedule A (Form 1040), line 6
Deductible home mortgage interest and points reported on Form 1098	Schedule A (Form 1040), line 10
Deductible home mortgage interest ***not*** reported on Form 1098	Schedule A (Form 1040), line 11
Points ***not*** reported on Form 1098	Schedule A (Form 1040), line 12

Mortgage Interest Credit

A mortgage interest credit is available for first-time home buyers whose income is generally below the median income for the area where they live. The credit is intended to help lower income individuals afford home ownership. This is done by allowing a tax credit for part of the home mortgage interest they pay.

To be eligible for the credit, you must get a ***mortgage credit certificate (MCC)*** from your state or local government. The MCC is issued before you buy the home. Contact your state or local housing finance agency for information about the availability of MCCs in your area.

To figure the credit, multiply the certificate credit rate by:

1) The interest you paid during the year on your mortgage, or
2) The interest you paid on the loan amount shown on your MCC,

whichever amount is smaller.

Limit on the credit. If the certificate credit rate is more than 20%, the credit cannot be more than $2,000.

Dividing the credit. If two or more persons (other than a married couple filing a joint return) hold an interest in the home to which the MCC relates, the credit must be divided based on the interest held by each person.

Example. John and his brother, George, were issued an MCC. They used the certificate to obtain a mortgage on a home that is their main home. John has a 60% interest in the home and George has a 40% interest in the home. John paid $5,400 mortgage interest in 1994 and George paid $3,600.

The MCC shows a credit rate of 25% and a maximum mortgage of $65,000. The loan amount (mortgage) on their home is $60,000. Because the credit rate is more than 20%, the credit is limited to $2,000.

John figures the credit by multiplying the mortgage interest he paid in 1994 ($5,400) by the certificate credit rate (25%) for a total of $1,350. His credit is limited to $1,200 ($2,000 × 60%).

George figures the credit by multiplying the mortgage interest he paid in 1994 ($3,600) by the certificate credit rate (25%) for a total of $900. His credit is limited to $800 ($2,000 × 40%).

Claiming the credit. To claim the credit, complete **Form 8396,** *Mortgage Interest Credit,* and attach it to your Form 1040.

Include the credit in your total for line 44, Form 1040, and check box b.

Carryforward. If your allowable credit is more than your tax liability reduced by certain other credits, you can carry forward the unused portion of the credit to your next 3 years or until used, whichever comes first.

Example. You receive a mortgage credit certificate from State X. For 1994, your tax liability is $1,100 and your mortgage interest credit is $1,700. You claim no other credits. Your unused mortgage interest credit for 1994 is $600 ($1,700 – $1,100). You can carry forward this amount to the next 3 years.

Credit rate more than 20%. If you are subject to the $2,000 limit because your certificate credit rate is more than 20%, you cannot carry forward any amount over $2,000 (or your share of the $2,000 if you must divide the credit).

Example. In the earlier example under *Dividing the credit,* John and George used the entire $2,000 credit. The excess $150 for John ($1,350 – $1,200) and $100 for George ($900 – $800) cannot be carried forward to 1995, regardless of the tax liabilities for John and George.

Reducing your home mortgage interest deduction. If you itemize your deductions on Schedule A (Form 1040), reduce your home mortgage interest deduction by the amount of the mortgage interest credit.

Selling your home. If you purchase a home after 1990 using an MCC, and you sell that home within 9 years, you will have to recapture (repay) a portion of the credit. For additional information, see Publication 523.

Basis

Basis is your starting point for figuring a gain or loss if you later sell your home, or for figuring depreciation if you later rent or use part of your home for business purposes. While you own your home, you may add certain items to your basis. You may subtract certain other items from your basis. These items are called adjustments to basis and are explained later under *Adjusted Basis*.

It is important that you understand these terms when you first acquire your home because you must keep track of your basis and adjusted basis during the period you own your home. You must also keep records of the events that affect basis or adjusted basis. See *Keeping Records,* later.

Figuring Your Basis

How you figure your basis depends on how you acquire your home. If you buy or build your home, your cost is your basis. If you receive your home as a gift, your basis is usually the adjusted basis of the person who gave you the home. If you inherit your home, the fair market value at that time is generally your basis. Each of these topics is discussed later.

Fair market value. Fair market value is the price that property would sell for on the open market. It is the price that would be agreed on between a willing buyer and a willing seller, with neither being required to buy or sell, and both having reasonable knowledge of the relevant facts.

Property transferred from a spouse. If your home is transferred to you from your spouse, or from your former spouse as a result of a divorce, your basis is the same as your spouse's or former spouse's adjusted basis just before the transfer. Publication 504, *Divorced or Separated Individuals,* fully discusses transfers between spouses.

Cost as Basis

The cost of your home, whether you purchased it or constructed it, is the amount you paid for it, including any debt you incurred or assumed.

The cost of your home includes most settlement or closing costs you paid when you bought the home. If you built your home, your cost includes most closing costs paid when you bought the land or settled on your mortgage.

Purchase. The basis of a home you bought is the amount you paid for it. This usually includes your down payment and any debt, such as a first or second mortgage, or notes you gave to the seller. The basis of a cooperative apartment is the amount you paid for your shares in the corporation that owns or controls the property. This amount includes any purchase commissions or other costs of acquiring the shares.

Construction. If you contracted to have your home built on land that you own, your basis in the home is your basis in the land plus the amount you paid to have the home completed. This includes the cost of labor and materials, the amount you paid the contractor, any architect's fees, building permit charges, utility meter and connection charges, and legal fees that are directly connected with building your home. If you built all or part of your home yourself, your basis is the total amount it cost you to complete it. You cannot include the value of your own labor or any other labor you did not pay for.

Settlement or closing costs. If you bought your home, you probably paid settlement or closing costs in addition to the contract price. These costs are divided between you and the seller according to the sales contract, local custom, or understanding of the parties. If you built your home, you probably paid these costs when you bought the land or settled on your mortgage.

The only settlement or closing costs you can deduct are home mortgage interest and certain real estate taxes. You deduct them in the year you buy your home if you itemize your deductions. You can add certain other settlement or closing costs to the basis of your home. There are some settlement or closing costs that you cannot deduct or add to the basis.

Real estate taxes. Real estate taxes are usually divided so that you and the seller each pay taxes for the part of the property tax year that each owned the home. See the earlier discussion of *Real estate taxes paid at settlement or closing,* under *Real Estate Taxes,* to figure the real estate taxes you paid or are considered to have paid.

If you pay real estate taxes that are treated as imposed on the seller, that is, taxes up to the date of sale, you cannot deduct those taxes. If the seller did not reimburse you, you can add those taxes to your basis in the home. If the seller paid real estate taxes that are treated as imposed on you (the taxes beginning with the date of sale), you are considered to have paid, and can deduct, those taxes. If you did not reimburse the seller, you must reduce your basis in your home by the amount of those taxes.

Example 1. You bought your home on September 1. The property tax year in your area is the calendar year, and the tax is due on August 15. The real estate taxes on the home you bought were $730 for the year and had been paid by the seller on August 15. You did not reimburse the seller for your share of the real estate taxes from September 1 through December 31. You must reduce the basis of your home by the $244 (($122 \div 365) \times$ $730) the seller paid for you. You can deduct your $244 share of real estate taxes on your return for the year you purchased your home.

Example 2. You bought your home on May 2, 1994. The property tax year in your area is the calendar year. The taxes for the previous year are assessed on January 2 and are due on May 31 and November 30. Under state law, the taxes become a lien on May 31. You agreed to pay all taxes due after the date of sale. The taxes due in 1994 for 1993 were $320. The taxes due in 1995 for 1994 will be $365.

You cannot deduct any of the taxes paid in 1994 because they relate to the 1993 property tax year. You did not own the home until 1994. Instead, you add the $320 to the cost (basis) of your home.

Because you owned the home in 1994 for 244 days (May 2 to December 31), you can take a tax deduction on your 1995 return of $244 (($244 \div 365) \times$ $365) paid in 1995 for 1994. You add the remaining $121 ($365 – $244) of taxes paid in 1995 to the cost (basis) of your home.

Items added to basis. Generally, you add the following items that are charged to you at settlement or closing to the cost of your home. They are a part of your original basis.

1) Attorney's fees,
2) Abstract fees,
3) Charges for installing utility service,
4) Transfer and stamp taxes,
5) Surveys,
6) Title insurance, and
7) Unreimbursed amounts the seller owes but you pay, such as:
   a) Back taxes or interest,
   b) Recording or mortgage fees,
   c) Charges for improvements or repairs, or
   d) Selling commissions.

If the seller actually paid for any item that you are liable for and that you can take a deduction for, such as your share of the real estate taxes for the year of sale, you must reduce your basis by that amount unless you are charged for it in the settlement.

Items not added to basis and not deductible. There are some settlement costs which you cannot deduct ***or*** add to your basis. These include:

1) Fire insurance premiums,
2) FHA mortgage insurance premiums and VA funding fees,
3) Charges for using utilities,
4) Rent for occupying the home before closing, and
5) Other fees or charges for services concerning occupying the home.

Points paid by seller. If you bought your home after April 3, 1994, you must reduce your basis by any points paid for your mortgage by the person who sold you your home.

If you bought your home after 1990 but before April 4, 1994, you must reduce your basis by seller-paid points only if you deduct them. See *Points,* earlier, for the rules on deducting points.

Gift

If someone gave you your home, your basis is the same as that person's (the donor's) adjusted basis (defined later) when it was given to you. However, your basis in the home for determining a loss on its sale is the fair market value of the home when it was given to you, if the donor's adjusted basis was ***more*** than that fair market value.

If you received your home as a gift (after 1976), add to your basis (the donor's adjusted basis) the part of any federal gift tax paid that is due to the net increase in the value of the home. Figure this part by multiplying the federal gift tax paid on the gift of the home by a fraction. The numerator (top part) of the fraction is the net increase in the value of the home, and the denominator (bottom part) is the value of the home. The net increase in the value of the home is the fair market value of the home minus the donor's adjusted basis.

Publication 551 gives examples of figuring your basis when you received your home as a gift.

Inheritance

If you inherited your home, your basis is generally the fair market value of the home at the date of the decedent's death or on the alternate valuation date if the estate qualifies and uses this date. If an estate tax return was filed, your basis is the value of the home listed on the estate tax return. If an estate tax return was not filed, your basis is the appraised value of the home for state inheritance or transmission taxes at the decedent's date of death. Publication 559, *Survivors, Executors, and Administrators,* has more information on the basis of inherited property.

Adjusted Basis

While you own your home, various events may take place that can change the original basis of your home. These events can increase or decrease your original basis. The result is called ***adjusted basis.*** Refer to *Table 3* for a list of some of the items that can adjust your basis.

Improvements. An improvement materially adds to the value of your home, considerably prolongs its useful life, or adapts it to new uses. You must add the cost of any improvements to the basis of your home. You ***cannot*** deduct these costs.

Improvements that you must add to the basis of your home include putting a recreation room in your unfinished basement, adding another bathroom or bedroom, putting up a fence, putting in new plumbing or wiring, installing a new roof, and paving your driveway.

Amount added to basis. The amount you add to your basis for improvements is your actual cost, including any amount you borrowed. This includes all costs for material and labor, except your own labor, and all expenses related to the improvement. For example, if you had your lot surveyed to put up a fence, the cost of the survey is a part of the cost of the fence.

You must also add to your basis state and local assessments for improvements such as streets and sidewalks. These assessments are discussed earlier under *Real Estate Taxes.*

Repairs versus improvements. A repair keeps your home in an ordinary efficient operating condition. It does not add to the value of your home or prolong its life. Repairs include repainting your home inside or outside, fixing your gutters or floors, fixing leaks or plastering, and replacing broken window panes. You cannot deduct repair costs and generally cannot add them to the basis of your home.

However, repairs that are done as part of an extensive remodeling or restoration of your home are considered improvements. You must add them to the basis of your home.

Table 3. **Adjusted Basis**

Increases to basis generally include :	**Decreases to basis generally include :**
Improvements (see *Improvements*)	Insurance reimbursement for casualty losses
Special assessments for local improvements (see *Assessments for local benefits*)	Deductible casualty loss not covered by insurance
Amounts spent to restore damaged property	Payment received for easement or right-of-way granted
	Depreciation deduction if home is used for business or rental purposes
	Gain from sale of old residence on which tax was postponed
	Value of energy conservation subsidy (see *Energy conservation subsidy*)

Records to keep. You may wish to use *Table 4* as a guide to help you keep track of improvements to your home. Also see the discussion on *Keeping Records,* later.

Energy conservation subsidy. If after 1992, a public utility gives you (directly or indirectly) a subsidy for the purchase or installation of an energy conservation measure in your home, you are not required to include the value of that subsidy in your income. You will, however, have to reduce the basis of your home by that value.

An energy conservation measure is an installation, or modification of an installation, that is primarily designed to reduce consumption of electricity or natural gas or to improve the management of energy demand.

Keeping Records

Keeping full and accurate records is vital to properly report your income and expenses, to support your deductions, and to know the basis or adjusted basis of your home.

How to keep records. How you keep records is up to you, but they must be clear and accurate and must be available to the IRS.

How long to keep records. Keep your records for as long as they are important for tax purposes. You must usually keep records to support deductions for at least 3 years from the date the return was filed, or 2 years from the time you paid the tax, whichever is later. A return filed before the due date is considered filed on the due date.

Keep records relating to the basis of your property as long as they are needed to figure the basis of the original or replacement property. These records include your purchase contract and settlement papers if you bought the property, or other objective evidence if you acquired it by gift, inheritance, or similar means. You should also keep any receipts, canceled checks, and similar evidence for improvements or other additions to the basis.

Publications List

Order Blank

Table 4. **Record of Home Improvements**

Keep this for your records. Also keep receipts or other proof of improvements.
Caution: *Remove from this record any improvements that are no longer part of your main home. For example, if you put wall-to-wall carpeting in your home and later rep lace it with new wall-to-wall carpeting, remove the cost of the first carpeting.*

(a) Type of Improvement	(b) Date	(c) Amount	(a) Type of Improvement	(b) Date	(c) Amount
Additions:			**Heating & Air Conditioning:**		
Bedroom			Heating system		
Bathroom			Central air conditioning		
Deck			Furnace		
Garage			Duct work		
Porch			Central humidifier		
Patio			Filtration system		
Storage shed			Other		
Fireplace					
Other			**Electrical:**		
			Lighting fixtures		
Lawn & Grounds:			Wiring upgrades		
Landscaping			Other		
Driveway					
Walkway			**Plumbing:**		
Fences			Water heater		
Retaining wall			Soft water system		
Sprinkler system			Filtration system		
Swimming pool			Other		
Exterior lighting					
Other			**Insulation:**		
			Attic		
Communications:			Walls		
Satellite dish			Floors		
Intercom			Pipes and duct work		
Security system			Other		
Other					
			Interior Improvements:		
Miscellaneous:			Built-in appliances		
Storm windows and doors			Kitchen modernization		
Roof			Bathroom modernization		
Central vacuum			Flooring		
Other			Wall-to-wall carpeting		
			Other		

List of Tax Publications for Individuals

General Guides

1 ...... Your Rights as a Taxpayer
17 ..... Your Federal Income Tax
225 .. Farmer's Tax Guide
334 .. Tax Guide for Small Business
509 .. Tax Calendars for 1995
553 .. Highlights of 1994 Tax Changes
910 .. Guide to Free Tax Services (includes a list of publications)

Specialized Publications

3 ...... Tax Information for Military Personnel (Including Reservists Called to Active Duty)
54 ..... Tax Guide for U.S. Citizens and Resident Aliens Abroad
378 .. Fuel Tax Credits and Refunds
448 .. Federal Estate and Gift Taxes
463 .. Travel, Entertainment, and Gift Expenses
501 .. Exemptions, Standard Deduction, and Filing Information
502 .. Medical and Dental Expenses
503 .. Child and Dependent Care Expenses
504 .. Divorced or Separated Individuals
505 .. Tax Withholding and Estimated Tax
508 .. Educational Expenses
513 .. Tax Information for Visitors to the United States
514 .. Foreign Tax Credit for Individuals
516 .. Tax Information for U.S. Government Civilian Employees Stationed Abroad
517 .. Social Security and Other Information for Members of the Clergy and Religious Workers
519 .. U.S. Tax Guide for Aliens
520 .. Scholarships and Fellowships
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523 .. Selling Your Home
524 .. Credit for the Elderly or the Disabled
525 .. Taxable and Nontaxable Income
526 .. Charitable Contributions
527 .. Residential Rental Property
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530 .. Tax Information for First-Time Homeowners
531 .. Reporting Tip Income
533 .. Self-Employment Tax
534 .. Depreciation
537 .. Installment Sales
541 .. Tax Information on Partnerships
544 .. Sales and Other Dispositions of Assets
547 .. Nonbusiness Disasters, Casualties, and Thefts
550 .. Investment Income and Expenses
551 .. Basis of Assets
552 .. Recordkeeping for Individuals
554 .. Tax Information for Older Americans
555 .. Federal Tax Information on Community Property
556 .. Examination of Returns, Appeal Rights, and Claims for Refund
559 .. Survivors, Executors, and Administrators
560 .. Retirement Plans for the Self-Employed
561 .. Determining the Value of Donated Property
564 .. Mutual Fund Distributions
570 .. Tax Guide for Individuals with Income from U.S. Possessions
571 .. Tax-Sheltered Annuity Programs for Employees of Public Schools and Certain Tax-Exempt Organizations
575 .. Pension and Annuity Income (Including Simplified General Rule)
584 .. Nonbusiness Disaster, Casualty, and Theft Loss Workbook
587 .. Business Use of Your Home
590 .. Individual Retirement Arrangements (IRAs)
593 .. Tax Highlights for U.S. Citizens and Residents Going Abroad
594 .. Understanding The Collection Process
596 .. Earned Income Credit
597 .. Information on the United States-Canada Income Tax Treaty
721 .. Tax Guide to U.S. Civil Service Retirement Benefits
901 .. U.S. Tax Treaties
907 .. Tax Highlights for Persons with Disabilities
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911 .. Tax Information for Direct Sellers
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929 .. Tax Rules for Children and Dependents
936 .. Home Mortgage Interest Deduction
938 .. Real Estate Mortgage Investment Conduits (REMICs) Reporting Information
945 .. Tax Information for Those Affected by Operation Desert Storm
946 .. How To Begin Depreciating Your Property
947 .. Practice Before the IRS and Power of Attorney
950 .. Introduction to Estate and Gift Taxes
1244 .. Employee's Daily Record of Tips and Report to Employers
1542 .. Per Diem Rates
1544 .. Reporting Cash Payments of Over $10,000
1546 .. How to use the Problem Resolution Program of the IRS

Spanish Language Publications

1SP .. Derechos del Contribuyente
556SP .. Revisión de las Declaraciones de Impuesto, Derecho de Apelación y Reclamaciones de Reembolsos
579SP .. Cómo Preparar la Declaración de Impuesto Federal
594SP .. Comprendiendo el Proceso de Cobro
596SP .. Crédito por Ingreso del Trabajo
850 .. English–Spanish Glossary of Words and Phrases Used in Publications Issued by the Internal Revenue Service

Tax forms, publications and instructions listed on the order blank

You can get the following forms, schedules, and instructions at participating banks, post offices, or libraries.

Form 1040
Instructions for Form 1040 & Schedules
Schedule A for itemized deductions
Schedule B for interest and dividend income if over $400; and for answering the foreign accounts or foreign trusts questions
Schedule EIC for the earned income credit
Form 1040A
Instructions for Form 1040A & Schedules
Schedule 1 for Form 1040A filers to report interest and dividend income
Schedule 2 for Form 1040A filers to report child and dependent care expenses
Form 1040EZ
Instructions for Form 1040EZ

You can photocopy the items listed below (as well as those listed above) at participating libraries or order them from the IRS.

Schedule 3, Credit for the Elderly or the Disabled for Form 1040A Filers
Schedule C, Profit or Loss From Business
Schedule C-EZ, Net Profit From Business
Schedule D, Capital Gains and Losses
Schedule E, Supplemental Income and Loss
Schedule F, Profit or Loss From Farming
Schedule R, Credit for the Elderly or the Disabled
Schedule SE, Self-Employment Tax
Form 1040-ES, Estimated Tax for Individuals
Form 1040X, Amended U.S. Individual Income Tax Return
Form 2106, Employee Business Expenses
Form 2106-EZ, Unreimbursed Employee Business Expenses
Form 2119, Sale of Your Home
Form 2210, Underpayment of Estimated Tax by Individuals and Fiduciaries
Form 2441, Child and Dependent Care Expenses
Form 3903, Moving Expenses
Form 4562, Depreciation and Amortization
Form 4868, Application for Automatic Extension of Time To File U.S. Individual Income Tax Return
Form 5329, Return for Additional Taxes Attributable to Qualified Retirement Plans, Annuities, and Modified Endowment Contracts
Form 8283, Noncash Charitable Contributions
Form 8582, Passive Activity Loss Limitations
Form 8606, Nondeductible IRA Contributions, IRA Basis, and Nontaxable IRA Distributions
Form 8822, Change of Address
Form 8829, Expenses for Business Use of Your Home

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You can visit your local IRS office or order tax forms and publications from the IRS Forms Distribution Center listed for your state at the address on this page. Or, if you prefer, you can photocopy tax forms from reproducible copies kept at participating public libraries. In addition, many of these libraries have reference sets of IRS publications that you can read or copy.

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