

Notice of Transfer of 2015 Sustainable Building Tax Credit

Purpose of This Form. Form RPD-41384, *Notice of Transfer of 2015 Sustainable Building Tax Credit*, must be used to report to the Taxation and Revenue Department (TRD) a transfer of approved 2015 sustainable building tax credit previously known as the new sustainable building tax credit. Before using this notice to report a transfer, the current holder must have a TRD-approved Form RPD-41382, *2015 Sustainable Building Tax Credit Approval*, or a TRD-approved Form RPD-41384, *Notice of Transfer of 2015 Sustainable Building Tax Credit*.

Form RPD-41384 may be used by a TRD-approved holder who sells, exchanges or transfers their credit to another taxpayer, or by a holder, other than the original building owner, who is a partnership or other business association passing the credit to its members, partners, shareholders, or beneficiaries. Both the holder and the 2015 holder, or their authorized representatives must sign and date this notice. This signed notice must be mailed within 10 days of a sale, exchange, or other transfer to: New Mexico Taxation and Revenue Department, Business Credit Claim Unit, PO Box 5418, Santa Fe NM 87502-5418. For help, see RPD-41382 instructions for this credit or call (505) 827-0792 or email: BusinessCredit.Mgr@state.nm.us.

2015 sustainable building tax credit sold, exchanged, or transferred:

Credit number of holder:	First eligible tax year:	Date of the transfer:	Approved amount of 2015 sustainable building tax credit to be transferred:
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Transferred from:

Name of holder		SSN or FEIN	
Name of contact (if applicable)		Phone number	Email address
%	If the holder is a partnership or other business association passing credit to its owner(s), enter the new holders percentage of ownership interest.		

Under penalty of perjury I certify that I have examined this form and attachments, and to the best of my knowledge and belief it is true, correct, and complete.

Signature of holder authorizing the transfer of the credit. _____ Date _____

Transferred to:

Name of new holder		SSN or FEIN
Mailing address		City, state, and ZIP code

Under penalty of perjury I certify that I have examined this form and attachments, and to the best of my knowledge and belief it is true, correct, and complete.

Signature of the holder to whom the credit is transferred. _____ Date _____

TO BE COMPLETED BY THE TAXATION AND REVENUE DEPARTMENT

New credit number:	First eligible tax year:	Approved amount of 2015 sustainable building tax credit:
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- ☐ 2015 sustainable building tax credit is approved as submitted.
- ☐ 2015 sustainable building tax credit is not approved. See the attached explanation.
- ☐ 2015 sustainable building tax credit is approved, but the amount of the credit has been adjusted. See the attached explanation.

Signature of Secretary or authorized delegate: _____ Date: _____

Name (please print): _____ Title: _____

New Mexico Taxation and Revenue Department
**Notice of Transfer of 2015 Sustainable Building Tax Credit
Instructions**

Form RPD-41384 may be used by:

1. a TRD-approved holder who sells, exchanges or transfers their credit to another taxpayer, or
2. a holder, other than the original building owner, who is a partnership or other business association passing the credit to its members, partners, shareholders, or beneficiaries (owners).

The amount of the credit allowed to a holder who sells, exchanges or transfers their credit to another taxpayer, may not be split or divided between taxpayers. The total amount of credit allowed, as shown on the TRD-approved document provided to the holder, must either be claimed or otherwise transferred by the holder. The TRD-approved document will be either Form RPD-41382, *2015 Sustainable Building Tax Credit Approval*, or a TRD-approved Form RPD-41384, *Notice of Transfer of 2015 Sustainable Building Tax Credit*, depending on the how the previous holder received TRD approval for the credit.

In order for the Department to approve the notice of transfer the credit must be transferred in full. Once the credit has been used it cannot be transferred. Please, see the *B-300.15, Guidance Related to the Sustainable Building Tax Credit* for more information.

If, however, the holder is a partnership or other business association that passes the credit to its owners, each owner may claim a credit only in proportion to that owner's interest in the partnership or other business association. The total credit claimed by all owners may not exceed the amount of the credit that could have been claimed by the holder.

Note: Once a credit is claimed by a holder or owner, the carryforward may not be further sold, exchanged or transferred.

An original building owner that is a partnership or other business association may pass TRD-approved credit to its owners, by completing Sections I and II of Form RPD-41382, *2015 Sustainable Building Tax Credit Approval*, and submitting a Form RPD-41327 for each owner.

COMPLETING THE NOTICE OF TRANSFER

Follow these instructions to complete each section of RPD-41384, *Notice of Transfer of 2015 Sustainable Building Tax Credit*. For assistance completing this form, call the Business Credit Claim Unit at (505) 827-0792 or email: BusinessCredit.Mgr@state.nm.us.

2015 sustainable building tax credit sold, exchanged, or transferred.

Enter the credit number and the first eligible tax year from the certificate of eligibility issued by the Energy, Minerals and Natural Resources Department (EMNRD). You can find the credit number and first eligible tax year on RPD-41382, *2015 Sustainable Building Tax Credit Approval*, or on RPD-41384, *Notice of Transfer of 2015 Sustainable Building Tax Credit*, depending on the how the previous holder received TRD-approval for the credit. Enter the date of the transfer and the amount of the tax credit transferred.

Transferred from. Complete this section to identify the owner or holder who transferred the approved 2015 sustainable building tax credit. Sign and date to authorize the transfer. If the holder is a partnership or other business association passing credit to its owner(s), enter the new holders percentage of ownership interest.

Transferred to. Complete this section to identify the new holder of the approved 2015 sustainable building tax credit. The 2015 holder or his authorized representative must sign and date to receive the transfer.

Two Signatures and ENMRD Certificate

Both transferring parties must sign and date the form. You must also attach a copy of the holders approved Form RPD-41382, or Form RPD-41384. Mail transfer form and the holders TRD-approval documentation, to New Mexico Taxation and Revenue Department, Business Credit Claim Unit, P.O. Box 5418, Santa Fe, NM 87502-5418.

IMPORTANT: You must mail the notice to TRD within 10 days of a sale, exchange, or other transfer.

Sustainable Building Tax Credit

If you have been approved for a sustainable building tax credit you must use RPD-41342, *Notice of Transfer of Sustainable Building Tax Credit*, to transfer the credit.

The sustainable building tax credit is available for tax years ending on or before December 31, 2016, whereas, the 2015 sustainable building tax credit is available for tax years beginning on or after January 1, 2017. Both credits are for the construction in New Mexico of a sustainable building, the renovation of an existing building in New Mexico into a sustainable building, or for the permanent installation of manufactured housing in New Mexico, regardless of where the housing is manufactured, that is a sustainable building. To obtain approval for the sustainable building tax credit, see form RPD-41327, *Sustainable Building Tax Credit Approval*, for details.