# Application for residential land withholding tax (RLWT) repayment claim

Use this form if you want to make a claim for a repayment of RLWT, before the end of your income year, and you:

• have ongoing New Zealand tax obligations, or,

Inland Revenue

Te Tari Taake

• it's the sale of your main home and you have no other New Zealand tax obligations.

#### Don't use this form if:

you're a non-resident for tax purposes and the property sale is the only New Zealand tax obligation you'll have for the year, or
you have ceased all New Zealand tax obligations.

Instead file an income tax return showing all income, the RLWT deducted as a tax credit and expenses.

#### Notes

- There are notes on page 3 to help you complete this form.
- Even though you're making this claim, you may still be required to file an income tax return or receive a Income Tax Assessment if you have ongoing tax obligations.
- If the seller is a partnership (except for a limited partnership, see note on page 3) or unincorporated club or society, each member who is an offshore RLWT person must complete an IR1102 if they wish to apply for a repayment of RLWT, and must show their own IRD number, not that of the partnership, unincorporated club or society.

#### Details of the person or entity making the RLWT repayment claim

| 1 | Full name   | Mr Mrs M   | Aiss Ms Non-in    | dividual (Tick one)   |  |  |  |  |  |
|---|---|--|-------------------|-----------------------|--|--|--|--|--|
|   |   |  |                   |                       |  |  |  |  |  |
|   |   |  |                   |                       |  |  |  |  |  |
| 2 | IRD number  |  | ]                 |                       |  |  |  |  |  |
| 3 | Street address  |  |                   |                       |  |  |  |  |  |
|   | (Don't show a box or bag number)  | r)   |                   |                       |  |  |  |  |  |
|   |   | Street address                                       |                   |                       |  |  |  |  |  |
|   |   |  |                   |                       |  |  |  |  |  |
|   |   | Town or city   | Postcode/zip code | Country               |  |  |  |  |  |
| 4 | <b>Postal address</b> , (only if it's different from the street address)  |  |                   |                       |  |  |  |  |  |
|   | Do not show your tax agent's<br>address here  | Street address, PO Box, Private or Locked Bag number |                   |                       |  |  |  |  |  |
|   |   | Town or city   | Postcode/zip code | Country               |  |  |  |  |  |
| 5 | Contact phone numbers   |  | ( )               |                       |  |  |  |  |  |
| 5 | contact phone numbers   | Daytime  | Evening           | Mobile                |  |  |  |  |  |
| 6 | Email address   |  | -                 |                       |  |  |  |  |  |
|   | I give consent to communication with Inland Revenue via email. I accept that these emails may contain confidential information.<br>Inland Revenue will take all reasonable steps to mitigate any risk of emails being sent to the wrong recipient, but cannot<br>guarantee that emails will not be intercepted while in transit. All documents will be converted to PDF and password protected<br>prior to being sent unless otherwise agreed. I acknowledge that, once the email has been received, it is my responsibility to keep<br>this information secure, and ensure it is not accessed by an unauthorised individual. |  |                   |                       |  |  |  |  |  |
| 7 | Enter Bank Account if you want your   | repayment paid by direct credit                      | Bank Branch       | Account number Suffix |  |  |  |  |  |
| 8 | Certificate of Title number(s) of the property(s) RLWT was deducted from (see note on page 3).  |  |                   |                       |  |  |  |  |  |
|   | Note: If you have more than two pro required in question 8 for each transa  | e show the same details                              |                   |                       |  |  |  |  |  |

9 Name of your RLWT withholder (person who deducted the RLWT)

| 10  | Reason for repayment claim   |             |           |       |                                |                |             |          |         |   |
|---|--|-------------|-----------|-------|--------------------------------|----------------|-------------|----------|---------|---|
|   | Tick the reason you'll have a surplus credit of RLWT.<br>It's an excluded disposal (eg, it was your main ho<br>and you have other taxable property income) an<br>allowable deductions relating to property transa<br>- complete question 10A   | id/or       |           |       | my main hom<br>e in the curren |                |             |          |         | В |
| 10A   | Repayment claim due to excluded disposal   | and/or all  | lowable   | deduc | tions                          |                |             |          |         |   |
|   | Amount being claimed. Refer to the note for question<br>page 3 to work out the maximum you can claim.  | and expens  |           |       | of your currer                 | nt incom       | ne year, u  | Ip to on | e month |   |
| 10B   | Repayment claim due to main home   |             |           |       |                                |                |             |          |         |   |
|   | Refer to the note for question 10B on page 3.  |             |           |       |                                |                |             |          |         |   |
|   | I confirm the property was used more than 50% as my main home.   |             |           |       |                                |                |             |          |         |   |
|   | Amount being claimed.  |             | \$        |       |                                |                |             |          |         |   |
|   | Dates you lived in the property, eg, the date you moved in until<br>he date you moved out. If you have more dates show these<br>lates on a separate piece of paper and attach it to this form.   |             | Day       | Month | Year                           | to<br>to       | Day         | Month    | Year    |   |
|   | Have you been out of New Zealand since purchasing t  | he property | /?        |       |                                |                |             |          |         |   |
|   | <ul> <li>No</li> <li>Yes - show the dates you've been out of New Zealand.<br/>If you've been out more than three times, show the other<br/>departure and arrival dates on a separate piece of paper<br/>and attach it to this form.</li> </ul>   |             | Departure |       |                                |                | Arrival     |          |         |   |
|   |  |             |           | Month |                                | to<br>to<br>to | <br><br>Day |          | l       |   |
|   | <ul> <li>Attach a copy of two forms of evidence that show both your name and the address of the property from the period you lived in it.</li> <li>These may include: <ul> <li>a bill from the company who supplies your power, gas, water, phone, or internet services</li> <li>a statement from any bank</li> <li>an insurance policy document</li> </ul> </li> <li>This doesn't include a letter from friends or family.</li> </ul> |             |           |       |                                |                |             |          |         |   |
| 11  | Declaration  |             |           |       |                                |                |             |          |         |   |
|   | Name   |             |           |       |                                |                |             |          |         | 7 |
|   | Designation or title (if applicable)   |             |           |       |                                |                | Ì           |          |         |   |
| For example, director, partner, trustee, executive office holder, manager, duly authorised person |  |             |           |       |                                |                | 1           |          |         |   |

I declare that the information given on this form is true and correct.

If completing this form online an electronic signature is acceptable

# Date Day Month Year

## <u>Priv</u>acy

Meeting your tax obligations means giving us accurate information so we can assess your liabilities or your entitlements under the Acts we administer. We may also exchange information about you with some government agencies and another country. For full details of our privacy policy go to **www.ird.govt.nz** (search keyword: privacy).

## Send this form with all supporting documentation to:

@

#### Email: RLWTforms@ird.govt.nz

**Note:** If you want us to send you emails about this application you'll need to make sure you've ticked the consent under question 6

Signature



Post: Inland Revenue PO Box 39010 Wellington Mail Centre Lower Hutt 5045 New Zealand

#### Limited partnership

A limited partnership is an entity in its own right so will apply using its own IRD number. Each partner doesn't apply separately.

#### **Question 8 - Certificate of Title number**

• This will be on the Certificate of Title, and found on the Sale and Purchase agreement under "legal description - unique identifier or CT". It may also be on your rates bill. Otherwise ask your lawyer/conveyancer. If there is no certificate of title show the reference number for the property, eg, leasehold title.

#### **Question 9 - Withholder**

• This is the name of the person or entity who deducted the RLWT from your sale. You'll need to confirm with the withholder the name you enter here is the same name the withholder used on the *Residential land withholding tax (IR1100)* return to pay the RLWT to us. This will help us process your repayment claim faster.

#### **Question 10A - Calculation**

• You may be able to claim the difference between the RLWT deducted, and the RLWT calculated based on your estimated net profit on property-related income (shown on your attached schedule). If you've estimated a net loss you can claim the full amount back.

#### Work out the maximum amount you can claim with the following calculation:

| RLWT deducted   | 1 \$ |   |
|---|------|---|
| Estimated net profit  | 2 \$ |   |
| Estimated net profit X RLWT rate<br>(28% for a company or incorporated society, 33% for any<br>other entity type) | 3 \$ | • |
| Subtract box 3 from box 1. This is the maximum amount you can claim as an RLWT repayment                          | 4 \$ |   |

You don't have to claim this amount, it's just the maximum amount that can be claimed.

Note: We will deduct any outstanding amounts you have with us from the amount being refunded.

#### Question 10B - Main home

• To be your main home you need to meet the "main home exclusion" criteria under the bright-line test.

#### You must have used:

- the property for more than 50% of the time as your main home, and
- more than 50% of the area of the property as your main home. This includes things like the yard, gardens, and garage.

Go to **www.ird.govt.nz/property** "Selling property" to find out:

- When you can't use the main home exclusion
- How to work out which is your main home when you have more than one.
- Amount being claimed this is the amount of the RLWT deducted.