

Send this form with all supporting documentation to:



Email: RLWTforms@ird.govt.nz



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

Notes to help you complete this form

Limited partnership

If the seller is a limited partnership, apply under its IRD number. A separate application is not needed from each partner.

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, for example, 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). For example, residential land acquired on or after 27 March 2021 and sold with new build and non-new build on the same legal title, must have RLWT deducted from the full sale price if it is sold within 10 years. A refund claim can be made for the RLWT paid on the new build portion.

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

RLWT deducted	1	\$	<input type="text"/>								
Estimated net profit	2	\$	<input type="text"/>								
Estimated net profit X RLWT rate (28% for a company or incorporated society, 39% for any other entity type)	3	\$	<input type="text"/>								
Subtract box 3 from box 1. This is the maximum amount you can claim as an RLWT repayment	4	\$	<input type="text"/>								

You do not 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 - Date binding sale and purchase agreement entered into

For tax purposes, a property is generally acquired on the date a binding sale and purchase agreement is entered into (even if some standard conditions like getting finance or a building report still need to be met). This determines which bright-line period applies. Full information on when a property is acquired is found in **QB 17/02** on taxtechnical.ird.govt.nz

A property acquired on or after 27 March 2021 will be treated as having been acquired before 27 March 2021, if the purchase was the result of an offer the purchaser made on or before 23 March 2021 that could not be withdrawn before 27 March 2021. This means that the 5-year bright-line period applies. To support this, please provide a copy of the sale and purchase agreement and any supporting contractual documents (including any tender document).

Question 10B - Main home

A main home is the property where you live for most of the time, or if you have more than 1 property it is the one that you have the greatest connection to. To be your main home you need to meet the main home exclusion criteria under the bright-line property rule. This exclusion applies differently depending on when you acquired the property.

Date property acquired	Main home exclusion criteria
Before 27 March 2021	<p>You must have:</p> <ul style="list-style-type: none"> used more than 50% of the area of the property as your main home (including things like the yard, gardens, and garage) used the property for more than 50% of the time as your main home.
On or after 27 March 2021	<p>You must have:</p> <ul style="list-style-type: none"> used more than 50% of the area of the property as your main home (including things like the yard, gardens, and garage) used the property for 100% of the time as your main home. This may include any continuous period of up to 12 months in the bright-line period where the property was not used as your main home (for example, a period between moving out and when the property is finally sold).

