

ARTICLE VI

TAX CREDITS

Section 601. Tax Credit for Reserve and National Guard Members Called to Active Duty.

(a) Definitions. As used in this Section:

- (1) “Base Year.” The calendar year prior to the Tax Year.
- (2) “Principal Residence.” The dwelling place of a person, including the principal house and lot, and such lots as are used in connection therewith which contribute to its enjoyment, comfort and convenience.
- (3) “Real Estate Tax Bill.” The tax bill issued by the Department which includes the real estate tax due amount imposed by the City of Philadelphia and the real estate tax due amount imposed by the School District of Philadelphia
- (4) “Tax Year.” The calendar year in which the real estate tax imposed by the City of Philadelphia pursuant to § 19-1301 of the Code is due.

(b) Computation of the Tax Credit.

- (1) A member of the National Guard or a member of a reserve component of the Armed Forces of the United States who is called to active duty outside the Commonwealth of Pennsylvania shall only be entitled to a credit against the tax imposed by § 19-1301 of the Code, as follows:
 - (A) The credit shall apply only with respect to property that is the Principal Residence of the person called to active duty and is owned by such person.

(B) For a given Tax Year, the credit shall equal the amount of tax due on the property, multiplied by a fraction equal to the number of days the person served on active duty outside the Commonwealth of Pennsylvania during the Base Year, divided by the number of days in the Base Year. If the person called to active duty owns the property as a tenant in common, the credit amount shall be reduced by multiplying such amount by the person's fractional share of ownership of the property (there shall be no reduction of the credit amount if the person called to active duty owns the property as a joint tenant or as a tenant by the entireties).

(C) The tax credit provided by this Section, and pursuant to §19-1309 of the Code, shall be effective for Tax Year 2007 and thereafter.

(D) To receive the tax credit provided by this Section, a taxpayer must make application on a form to be provided by the Revenue Department.

(E) Unless otherwise provided by ordinance or statute, a person entitled to a tax credit pursuant to this Section and §19-1309 of the Code is not be entitled to take this tax credit against the portion of the Real Estate Tax imposed by the Board of Education of the School District of Philadelphia.

(c) Application Process. To receive a tax credit as provided by this Section, a person who meets the qualifications described in subsection (b) of this Section must submit an application to the Department on or before the due date of such bill. However, under no circumstances shall an application submitted after the Tax Year be accepted by the Department. Refer to paragraph (6) of this subsection for limitations regarding an applicant who submits an application to the

Department for the tax credit after the Real Estate Tax has been paid – either on or before the due date of the Real Estate Tax Bill.

- (1) An applicant must own the property for which the tax credit is requested. The applicant may own the property as a sole owner, joint tenant with right of survivorship, tenant by the entirety, or tenant in common.
- (2) An applicant must submit an application which shall contain the following:
 - (A) Certification statement signed and dated by the following persons:
 - (i) An eligible applicant asserting that the property listed on the application is his or her Principal Residence and that he or she is the owner of such property and that all information provided on the application is true and correct; and
 - (ii) An authorized official or representative of the National Guard or reserved component of the Armed Forces of the United States attesting that the applicant's assertion and information regarding the number of the active duty days outside Pennsylvania is true and correct based on available duty records.
 - (B) Applicant's/owner's name, social security number (SSN) or individual taxpayer identification number (ITIN), and telephone number;
 - (C) Property address for which the tax credit is being requested;
 - (D) Real estate tax account number for such property – which is the account number indicated on the Real Estate Tax Bill;
 - (E) Telephone number of the officer or authorized representative of the National Guard or reserved component of the Armed Forces of the United States signing the certification/attestation statement;

(F) Total Real Estate Tax amount due before any credits;

(G) Number of days the applicant was on active duty outside Pennsylvania;

(H) Such other information or documentation as the Department may require in determining eligibility for – and calculation of – the tax credit.

(3) Completed signed application shall be mailed to the address designated by the Department on the application.

(4) A person who meets the qualifications described in subsection (b) of this Section may submit an application to the Department for each year the person is eligible to receive the tax credit.

(5) An applicant may be required to submit documents (e.g., military orders) to verify the information provided in the application and must provide such documents to establish eligibility for the tax credit, if requested by the Department. If so, the applicant will be contacted accordingly by the Department.

(6) At the Department's discretion, an applicant may submit, and the Department may accept, an application for the tax credit after the due date for payment of the tax.

(A) Circumstances that may warrant the Department's acceptance of an application submitted after the due date of the "Real Estate Tax Bill" include, but is not limited to, the following:

- (i) The Real Estate Tax is paid directly by the mortgage company or other third-party agency.
- (ii) The applicant is away on active duty and unable to timely submit an application for the tax credit.