



Publication 108

January 2009

Illinois Property Tax Credit

The information in this publication is current as of the date of the publication. Please visit our web site at tax.illinois.gov to verify you have the most current revision.

This publication is written in the plain English style so the tax information is easier to understand. As a result, we do not directly quote Illinois statutes and the Illinois Administrative Code. The contents of this publication are informational only and do not take the place of statutes, rules, and court decisions. For many topics covered in this publication, we have provided a reference to the applicable section or part of the Illinois Administrative Code for further clarification or more detail. All of the sections and parts referenced can be found in Title 86 of the Code.

About this publication

Publication 108, Illinois Property Tax Credit, will help you figure your property tax credit on your Illinois Individual Income Tax Return. The objectives of Publication 108 are to identify

- what you may and may not include when you figure a property tax credit.
- when you are eligible to take a property tax credit.
- what you may include when you figure a property tax credit if you are buying, building, or selling a house.

Taxpayer Bill of Rights

You have the right to call the Department of Revenue for help in resolving tax problems.

You have the right to privacy and confidentiality under most tax laws.

You have the right to respond, within specified time periods, to department notices by asking questions, paying the amount due, or providing proof to refute the department's findings.

You have the right to appeal department decisions, in many instances, within specified time periods, by asking for department review or by taking the issue to court.

If you have overpaid your taxes, you have the right, within specified time periods, to a credit (or, in some cases, a refund) of that overpayment.

For more information about these rights and other department procedures, you may write us at the following address:

Problems Resolution Office
Illinois Department of Revenue
PO Box 19014
Springfield, IL 62794-9014

Get forms and other information faster and easier at tax.illinois.gov

General Information

What is the Illinois Property Tax Credit?	2
What property tax may I include when I figure a property tax credit?.....	2
What may not be included when I figure a property tax credit?	2 - 3
What if I bought a house?	3
What if I built a house?	3
What if I sell my house?.....	3
May I include back property tax when I figure my property tax credit?.....	3
May I include property tax if I am married and filing a separate return?.....	3
May I figure a property tax credit if I live in a mobile home?.....	3
May I figure a property tax credit if a portion of my residence is used for business?	3
May I figure a property tax credit if I own farm property?	3
May I receive a refund if my property tax credit exceeds the tax I owe?	3
Office Locations	4
For Information or Forms	4

General Information

What is the Illinois Property Tax Credit?

The Illinois Property Tax Credit is a credit on your individual income tax return equal to 5 percent of Illinois Property Tax (real estate tax) you paid on your principal residence.

Note You must own your residence in order to take this credit.

For tax years

- 2008 and after, complete Schedule ICR, Illinois Credits, to figure your Illinois Property Tax Credit.
- 2007 and earlier, complete the Homeowner's Property Tax (PT) Worksheet to figure your Illinois Property Tax Credit. You will find a copy of this worksheet in the Form IL-1040 Instructions for the tax year you are filing.

What property tax may I include when I figure a property tax credit?

You may include the following when you figure your property tax credit:

- Property tax you paid on your principal residence you owned if it is located in Illinois. Generally, you may figure a credit on the property tax you paid on your principal residence for the prior year. For example, you may use the property tax you paid in 2008 for your 2007 residence to figure your property tax credit on your 2008 Form IL-1040.
- Property tax you paid on an adjoining lot to your principal residence, if it is used for residential purposes.
- Prorated property tax you paid in the year you sold your Illinois residence.
- Illinois village tax you paid in the tax year.

- Multi-unit property tax you paid, but only if your principal residence is one of the units. Include only the tax assessed on the unit that is your Illinois residence.

What may not be included when I figure a property tax credit?

You may not include the following when you figure your property tax credit:

- Property tax assessed on property that is not your principal residence. For example, you may not claim a tax credit on property that you do not live in or consider your principal residence. Examples would be a vacation home, a vacant lot, rental property, property outside of Illinois, and farm land.
- Property tax assessed on your principal residence that you do not own, even if you paid the tax. For example, if you live with relatives who own the residence and you paid the property tax but you do not own the property, you may not claim a tax credit.
- Interest penalties or fees you paid because your property tax installments were paid late.
- Any portion of the property tax due that you did not pay in the tax year. For example, if you did not pay one or both property tax installments on your 2007 taxes due in 2008, you may not include the portion of the 2007 taxes that you did not pay when figuring your property tax credit on your 2008 Form IL-1040.
- Accountant fees or lawyer fees paid in association with your property tax.
- Homeowner's association dues or fees paid.
- Property tax paid on an out-of-state home.

What if I bought a house?

If you bought a house during the current tax year, you may not use the property tax on that house to figure your credit for that year.

For the period of time that the seller lived in the house, the tax was prorated and paid by the seller at the time of closing. The tax for the remainder of the year will be assessed to you and paid in the following year.

For example, you may not use the property tax paid on a house you bought in 2008 on your 2008 return. The seller was liable for the tax and will take the property tax credit.

If you bought a house during the previous tax year, you may use the property tax on that house to figure your credit providing you figure only that portion of your taxes that pertains to the time you owned and lived at the property during the tax year. For example, if you purchased and began living in a house in October 2007, you may use an amount equal to three months of your total 2007 property tax to figure your 2008 property tax credit.

What if I built a house?

If you built a house, you may not figure a property tax credit for tax you paid on the vacant lot or the new house before it became your principal residence.

For example, if you built a house in 2007 but did not move in until 2008, you may not include any property tax that you paid when figuring your property tax credit for your 2008 Form IL-1040, filed in 2009.

What if I sell my house?

If you sell your house, you may include

- the prior year's property tax you paid and
- the current year's prorated tax offset against the sales price at the time of closing

when figuring your property tax credit.

For example, if you sold your house during 2008, you may include the 2007 tax and the 2008 prorated tax you paid at the time of closing when figuring your 2008 property tax credit on your 2008 Form IL-1040, filed in 2009.

However, if the house you are selling is vacant for a period of time before it is sold, you may not figure credit for the period of time that it was vacant and not your principal residence.

If you moved into your new house in April 2008 but did not sell your other house until January 2009, you may not include the property tax assessed on the old house for the time it was vacant.

May I include back property tax when I figure my property tax credit?

You may only include back property tax if the tax was paid during the current tax year. However, you may not include interest penalties or fees when figuring this credit.

May I include property tax if I am married and filing a separate return?

If you and your spouse filed separate federal returns, each spouse must file a separate Form IL-1040. Each spouse may claim part of

the property tax. The total may not exceed 100 percent of the total property tax paid.

If you filed a joint federal return and you are filing a separate Illinois return because one spouse is a resident and one is a nonresident or part-year resident, the spouse who is filing as an Illinois resident or part-year resident may figure a property tax credit for the tax paid on the principal residence located in Illinois.

May I figure a property tax credit if I live in a mobile home?

If you own a mobile home, that is your principal residence, and the land on which it is located, you may figure a property tax credit for the property tax you paid on the land during the tax year.

You may not figure a credit for mobile home privilege tax.

May I figure a property tax credit if a portion of my residence is used for business?

If a portion of your principal residence is used for business, you may figure a credit on only the portion of your tax that is not deductible as a business expense on your federal return. You must subtract federally deductible business expenses, whether or not you actually took the federal deduction, before you figure your credit. For tax years

- 2008 and after, you must subtract this amount on Schedule ICR, Line 4b.
- 2007 and earlier tax years, you must subtract this amount on Line 2 of the Homeowner's Property Tax (PT) Worksheet found in the Form IL-1040 instructions.

May I figure a property tax credit if I own farm property?

If you own farm property that includes your principal residence, you may figure a property tax credit on only the portion of the farm property that is used for your principal residence. You must subtract federally deductible business expenses, whether or not you actually took the federal deduction, before you figure your credit. For tax years

- 2008 and after, you must subtract this amount on Schedule ICR, Line 4b.
- 2007 and earlier, you must subtract this amount on Line 2 of the Homeowner's Property Tax (PT) Worksheet found in the Form IL-1040 instructions.

If you do not live on the farm property, you may not claim a property tax credit on your Form IL-1040.

May I receive a refund if my property tax credit exceeds the tax I owe?

If your property tax credit exceeds the tax you owe, you may not receive a refund for that amount, and you may not carry unused credit to other years. Your property tax credit may only reduce the tax you owe to zero.

Office locations

Maine North Regional Building
 9511 Harrison Street FA 203
 Des Plaines, Illinois 60016-1563
 847 294-4200

200 South Wyman Street
 Rockford, Illinois 61101-1237
 815 987-5210

James R. Thompson Center
 Concourse Level
 100 West Randolph Street
 Chicago, Illinois 60601-3274
 312 814-5232

Willard Ice Building
 101 West Jefferson
 Springfield, Illinois 62702
 800 732-8866
 217 782-3336


15 Executive Drive
 Business Center One, Suite 2
 Fairview Heights, Illinois 62208-1331
 618 624-6773

2309 W. Main
 Suite 114
 Marion, Illinois 62959-1196
 618 993-7650

Out-of-state office location
 Century Plaza
 45 Eisenhower Drive
 Suite 2
 Paramus, New Jersey 07352-1416
 201 845-0255

For information or forms

Visit our web site at tax.illinois.gov
 Call us at **1 800 732-8866** or **217 782-3336**.
 Call our TDD (telecommunications device for the deaf) at **1 800 544-5304**.
 Write us at Illinois Department of Revenue, P.O. Box 19044, Springfield, IL 62794-9044.
 Call our 24-hour Forms Order Line at **1 800 356-6302**.

 Printed by authority of the State of Illinois
 (2,000 - 01/09 - 2090433)