

## Section 42.—Low-Income Housing Credit

### Low-income housing credit; satisfactory bond; “bond factor” amounts for the period April through June 2004.

This ruling announces the monthly bond factor amounts to be used by taxpayers who dispose of qualified low-income buildings or interests therein during the period April through June 2004.

### Rev. Rul. 2004-40

In Rev. Rul. 90-60, 1990-2 C.B. 3, the Internal Revenue Service provided

guidance to taxpayers concerning the general methodology used by the Treasury Department in computing the bond factor amounts used in calculating the amount of bond considered satisfactory by the Secretary under § 42(j)(6) of the Internal Revenue Code. It further announced that the Secretary would publish in the Internal Revenue Bulletin a table of bond factor amounts for dispositions occurring during each calendar month.

Rev. Proc. 99-11, 1999-1 C.B. 275, established a collateral program as an alternative to providing a surety bond for taxpayers to avoid or defer recapture of

the low-income housing tax credits under § 42(j)(6). Under this program, taxpayers may establish a Treasury Direct Account and pledge certain United States Treasury securities to the Internal Revenue Service as security.

This revenue ruling provides in Table 1 the bond factor amounts for calculating the amount of bond considered satisfactory under § 42(j)(6) or the amount of United States Treasury securities to pledge in a Treasury Direct Account under Rev. Proc. 99-11 for dispositions of qualified low-income buildings or interests therein during the period April through June 2004.

Table 1 Rev. Rul. 2004-40 Monthly Bond Factor Amounts for Dispositions Expressed As a Percentage of Total Credits											
	Calendar Year Building Placed in Service or, if Section 42(f)(1) Election Was Made, the Succeeding Calendar Year										
Month of Disposition	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Apr '04	15.55	28.88	40.34	50.12	58.45	57.84	57.87	57.99	58.25	58.56	58.98
May '04	15.55	28.88	40.34	50.12	58.45	57.71	57.75	57.87	58.13	58.45	58.87
Jun '04	15.55	28.88	40.34	50.12	58.45	57.59	57.63	57.75	58.02	58.34	58.77

Table 1 (cont'd) Rev. Rul. 2004-40 Monthly Bond Factor Amounts for Dispositions Expressed As a Percentage of Total Credits											
	Calendar Year Building Placed in Service or, if Section 42(f)(1) Election Was Made, the Succeeding Calendar Year										
Month of Disposition	2001	2002	2003	2004							
Apr '04	59.74	60.79	62.04	62.68							
May '04	59.64	60.69	61.93	62.68							
Jun '04	59.55	60.59	61.84	62.68							

For a list of bond factor amounts applicable to dispositions occurring during other calendar years, see: Rev. Rul. 98-3, 1998-1 C.B. 248; Rev. Rul.

2001-2, 2001-1 C.B. 255; Rev. Rul. 2001-53, 2001-2 C.B. 488; Rev. Rul. 2002-72, 2002-2 C.B. 759; and Rev. Rul. 2003-117, 2003-46 I.R.B. 1051. For

dispositions occurring during the period January through March 2004, see Rev. Rul. 2004-16, 2004-8 I.R.B. 503.

## DRAFTING INFORMATION

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