For projects approved under this section or section 38g of former 1975 PA 228 for which a certificate of completion is issued on and after January 1, 2006, a qualified taxpayer may assign all or a portion of a Brownfield Michigan Business Tax (MBT) Credit allowed under this section or section 38g(2), (3), or (33) of former 1975 PA 228 under this subsection. Any assignments must take place in the same tax year that a Brownfield MBT Certificate of Completion is issued.

To expedite processing time for Brownfield MBT Credit Assignments, it is recommended that both the Request for the Certificate of Completion and the Credit Assignment are submitted **simultaneously**. The Request for Credit Assignment form will be reviewed and, if approved, the assignor will receive a Brownfield MBT Credit Assignment Certificate for all assignees. In order to claim the Brownfield MBT Credit, **original** Brownfield MBT Certificate of Completion must be attached to the assignee’s MBT Annual Return in the same year it was assigned for the Brownfield MBT Credit to be valid. If the Request for Certificate of Completion and the Credit Assignment cannot be submitted simultaneously, an assignor must submit a completed Request for Credit Assignment form along with the **original** Brownfield MBT Certificate of Completion issued by the MEDC.

An assigned Brownfield MBT Credit is irrevocable and must be made in the same tax year the Brownfield MBT Certificate of Completion is issued. An assigned Brownfield MBT Credit is nonrefundable; however, if the Brownfield MBT Credit exceeds the tax liability for that year, the balance of the Brownfield MBT Credit may be carried forward for up to 10 years or until it is used up. The 10 year time period begins with the tax year in which the Brownfield MBT Certificate of Completion is issued. For the assignee, the 10 year time period begins to run with the tax year in which the assignment is made, which shall be the same tax year the Brownfield MBT Certificate of Completion is issued.

PerMCL 208.1437(19), if the eligible investment for which a Brownfield MBT Credit was approved was intended for the addition of personal property, and that personal property is sold, disposed of, or transferred to another location, the qualified taxpayer that sold, disposed of, or transferred the personal property is responsible for the recapture of the Brownfield MBT Credit. If a qualified taxpayer has an unused carryforward of a Brownfield MBT Credit under this section, the amount otherwise added under this subsection to the qualified taxpayer’s MBT liability may instead be used to reduce the qualified taxpayer’s carryforward under subsection (18). The recapture is not the responsibility of the assignee of the Brownfield MBT Credit.

Finally, to claim an assigned Brownfield MBT Credit, each assignee shall attach a copy of the Brownfield MBT Credit Assignment Certificate to the annual return filed.

### SUBMISSION OF REQUEST

*Submit the form and required attachments to:*

Michigan Economic Growth Authority

Michigan Economic Development Corporation

Attn: Brownfield Program

300 North Washington Square

Lansing, MI 48913

Brownfield Program Contact: 888-522-0103

|  |  |
| --- | --- |
| **Project Name** *(from original application)* | **Assigned Project Number** *(from the Project pre-approval letter)* |
|       |       |

*(The Project Name and Number should be used consistently in all project correspondence.)*

### ASSIGNOR IDENTIFICATION

|  |  |
| --- | --- |
| Assignor/Qualified Taxpayer Legal Name | Employer Tax Identification Number (EIN) |
|       |       |
| Tax Year End | Organization Type *(check one)* |
|       | [ ]  | Individual |
| Address (Street/P.O. Box/City, State and Zip Code) | [ ]  | Limited Liability Company or Corporation |
|       | [ ]  | Professional Corporation |
|       | [ ]  | S Corporation |
|       | [ ]  | Other Corporation |
|       | [ ]  | Partnership/LLC Partnership |
|       | [ ]  | Fiduciary |



### ASSIGNOR CERTIFICATION

|  |  |
| --- | --- |
| Signature of Qualified Representative | Date |
|  |       |
| Printed Name | Title |
|       |       |
| Address | Phone & Email Address |
|       |       |

I certify that the information provided here regarding the assignment of Brownfield MBT Credits, including the assignee EIN and entity name, are true and accurate.  I understand that all Brownfield MBT Credit assignments must be made in the tax year the Brownfield MBT Certificate of Completion is issued, unless the assignee is an unknown lessee. I understand that an assigned Brownfield MBT Credit is irrevocable.  Finally, I understand that the assignment does not waive the right of the MEGA and/or Michigan Department of Treasury from taking any enforcement action or seeking any remedy for any error found against the assignor or assignee.