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Canada Revenue Agency | Agence du revenu du Canada

Protected B when completed

Underused Housing Tax Return and Election Form

- Use this return if, on December 31 of a calendar year (starting with the 2022 calendar year), you are an **affected owner** of a **residential property** in Canada. You do not need to file a return if you are an **excluded owner** of a residential property in Canada. For more information, refer to the definitions of **affected owner**, **residential property** and **excluded owner** in the "Additional information" section at the end of this return.
- If, on December 31 of a calendar year, you are an affected owner of one or more residential properties in Canada, you must file a separate return for each residential property. All affected owners must file their returns with the Canada Revenue Agency (CRA) on or before April 30 of the following calendar year. If you do not have a Canadian social insurance number, individual tax number or temporary tax number, you may wish to attach to this return Form T1261, Application for a Canada Revenue Agency Individual Tax Number (ITN) for Non-Residents and any necessary documentation. If you do not have a business number, contact the CRA before filing this return.
- If you are an owner of a residential property in your capacity as a partner of a partnership or a trustee of a trust, and you are also an owner of the same residential property in another capacity, we refer to you as being an owner in multiple capacities. If you are an owner of a residential property in multiple capacities, you are considered to be a separate person in each capacity in which you are an owner of the residential property. You have to file a separate return for each capacity in which you are an affected owner of the residential property.
- If you have a foreign address or need to indicate your citizenship in Part 1, use a standardized country code to indicate your country by entering the appropriate three-letter code. For more information, go to **iso.org/iso-3166-country-codes.html**.
- For more information, see the "Additional information" section at the end of this return or go to **canada.ca/cra-uht**.

Do not use this area

010 ☐ Amended Calendar year 012 Year

Part 1 – Information about the affected owner

002 Legal name of affected owner

001 Social insurance number (SIN), individual tax number (ITN), temporary tax number (TTN) or business number (BN-RU)

017 Mailing address	016 City	018 Province, territory or state

019 Country code	020 Postal or Zip code	022 Telephone number (with country calling code)	023 Extension

Contact person (authorized person, optional):

025 Name of contact person	024 Name of firm (if applicable)

026 Mailing address	032 City	027 Province, territory or state

029 Country code	028 Postal or Zip code	030 Telephone number (with country calling code)	031 Extension

Citizenship of the affected owner who is an individual:

105 If you are an affected owner and an individual who is neither a Canadian citizen nor permanent resident of Canada, in which country do you have citizenship?

Partnership and trust related questions:

Are you an affected owner of the residential property as a partner of a partnership? . . . . . 110 ☐ Yes ☐ No

If line 110 is **yes**, what is the partnership account number (if applicable)? . . . . . 115 R Z

Are you an affected owner of the residential property as a trustee of a trust? . . . . . 120 ☐ Yes ☐ No

If line 120 is **yes**, what is the trust account number (if applicable)? 125

Ownership of the residential property in multiple capacities:

If you are an owner of the residential property in Part 2 in **multiple capacities**, in which **particular capacity** are you filing this return? Tick only one box.

130 ☐ Individual in your own right 131 ☐ Partner of a partnership 132 ☐ Trustee of a trust 133 ☐ Corporation in your own right

Canada

Part 2 – Information about your residential property in Canada

Enter the physical address of the residential property you own in Canada.

Note: If you own more than one residential property in Canada, you have to file a separate return for each property.

200 Physical address

205 City

210 Province or territory

220 Postal code

Additional information on the residential property identification

230 Property ID used in the land registration system or similar system

235 Property tax or assessment roll number (if applicable)

What type is the residential property? Tick only one box.

240 ☐ Detached house

241 ☐ Duplex

242 ☐ Triplex

243 ☐ Semi-detached house

244 ☐ Townhouse or rowhouse unit

245 ☐ Residential condominium unit

Ownership of the residential property:

In which year did you become an owner of the residential property? . . . . . **260** Year

What type of ownership do you have? Tick only one box.

261 ☐ Sole

262 ☐ Joint tenancy

263 ☐ Tenants in common

On December 31 of the calendar year, what is your ownership percentage of the residential property for the capacity in which you are filing this return? . . . . . **265** _____ %

Provide the following information about any other owner of the property having an interest in the property of 10% or more:

	Name of owner **270**	**Ownership percentage** **275**
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		

Taxable value of the residential property:

What is the **assessed value** of the property that is (or includes) the residential property? . . . . . **280** _____

What was the residential property's most recent sale price on or before December 31 of the calendar year? . . . . . **285** _____

Taxable value (the amount from line 280 or 285, whichever is greater) _____ 2A

Note: For more information about the meaning of ownership percentage, assessed value, and taxable value, see the "Additional information" section at the end of this return.

Part 3 – Multiple residential properties

Part 3 only applies to owners who are individuals and that are neither Canadian citizens nor permanent residents of Canada. If you are an owner who is an individual that is either a Canadian citizen or permanent resident of Canada, or if you are an owner that is a corporation, this part does not apply to you.

If you own more than one residential property in Canada, you have to file a separate return for each property. The due date for making the multiple residential properties election is the same as the due date for the underused housing tax (UHT) return to which the election applies.

Section 1 – Multiple properties

Are you an owner of any other residential properties in Canada? . . . . . **300** ☐ Yes ☐ No

Note: If line 300 is **no** and you do not have a spouse or common-law partner, go to Part 4.

If line 300 is **yes**, how many other residential properties in Canada do you own? . . . . . **305** _____

Do you have a spouse or common-law partner who is neither a Canadian citizen nor a permanent resident of Canada and who is an owner of any residential properties in Canada? . . . . . **310** ☐ Yes ☐ No

Note: If line 300 is **no** and your spouse or common-law partner, who is neither a Canadian citizen nor a permanent resident of Canada, does not own any residential properties in Canada other than the residential property described in Part 2, you may select **no** for line 310 and go to Part 4.

If you selected **yes** to either line 300 or 310, your ability to claim an exemption in Part 4 (Exemption for Primary Place of Residence) or Part 5 (Exemption for Qualifying Occupancy) for your, or your spouse's or common-law partner's, personal occupancy of the properties will be restricted unless you, or you and your spouse or common-law partner, elect to designate one of the residential properties for the purposes of subsection 6(10) of the Underused Housing Tax Act (UHTA) for the calendar year.

You may only elect to designate **one residential property** for the purposes of subsection 6(10) of the UHTA for a calendar year. You cannot elect to designate different residential properties to claim multiple exemptions based on your, or your spouse's or common-law partner's, personal occupancy of the properties.

Section 2 – Election to designate a residential property

Fill out this section if you selected **yes** for line 300 and **no** for line 310.

Are you electing to designate the residential property described in Part 2 for the purposes of subsection 6(10) of the UHTA for the calendar year? . . . . . **315** ☐ Yes ☐ No

Section 3 – Joint election to designate a residential property

Fill out this section if you selected **yes** for line 310.

Are you and your spouse or common-law partner electing to designate the residential property described in Part 2 for the purposes of subsection 6(10) of the UHTA for the calendar year? . . . . . **320** ☐ Yes ☐ No

If line 320 is **yes**, has your spouse or common-law partner consented to this election? . . . . . **325** ☐ Yes ☐ No

Note: To constitute a valid joint election, your spouse or common-law partner must elect to designate the same residential property for the calendar year in an UHT return for a residential property they own. The election is incomplete until the CRA receives your spouse or common-law partner's portion of the election on their UHT return designating the same residential property.

330 Legal name of your spouse or common-law partner (last name, first name)	**335** SIN, ITN or TTN of your spouse or common-law partner

If line 320 is **no**, are you and your spouse or common-law partner electing to designate another residential property for the purposes of subsection 6(10) of the UHTA for the calendar year? . . . . . **345** ☐ Yes ☐ No

350 Physical address of the other residential property

351 City	**352** Province or territory	**353** Postal code

Are you also an owner of the other residential property? . . . . . **355** ☐ Yes ☐ No

If line 345 is **yes**, has your spouse or common-law partner consented to this election? . . . . . **360** ☐ Yes ☐ No

Note: To constitute a valid joint election, your spouse or common-law partner must elect to designate the same residential property for the calendar year in an UHT return for a residential property they own. The election is incomplete until the CRA receives your spouse or common-law partner's portion of the election on their UHT return designating the same residential property.

365 Legal name of your spouse or common-law partner (last name, first name)	**370** SIN, ITN or TTN of your spouse or common-law partner

Part 4 – Exemption for primary place of residence

Fill out Part 4 only if you are claiming the exemption for primary place of residence.

This part applies to situations where a **dwelling unit** that is part of the residential property is occupied by an owner or certain members of the owner's family. Only owners who are individuals may qualify for this exemption.

Note: If you are an owner of multiple residential properties, or if you and your spouse or common-law partner (who is neither a Canadian citizen nor a permanent resident of Canada) are owners of multiple residential properties, you are not eligible to claim an exemption under this part unless you have filled out the election in Part 3 to designate the residential property described in Part 2 for purposes of subsection 6(10) of the UHTA for the calendar year.

Is your ownership of the residential property exempt on the basis that it is a **primary place of residence** under one of the situations described in line 415 or 425? . . . . . **405** ☐ Yes ☐ No

If **no**, go to Part 5.

If **yes**, select the situation below that applies to you and go to Part 9.

415 ☐ A dwelling unit that is part of the residential property is, for the calendar year, your primary place of residence, or the primary place of residence of your spouse or common-law partner.

425 ☐ A dwelling unit that is part of the residential property is, for the calendar year, the primary place of residence of your child, or a child of your spouse or common-law partner, who occupies the dwelling unit while pursuing authorized study at a designated learning institution.

Note: For more information about dwelling unit or primary place of residence, see the "Additional information" section at the end of this return.

Part 5 – Exemption for qualifying occupancy

Fill out Part 5 only if you are claiming the exemption for qualifying occupancy.

This part applies in situations where your ownership of a residential property has one or more **qualifying occupancy periods** totalling at least 180 days in the calendar year. Only owners who are individuals may qualify for the exemption in lines 530 or 540. When calculating the total days of qualifying occupancy periods in the calendar year, do not include periods of **continuous occupancy** that are less than a month. Any common days of overlapping qualifying occupancy periods are only counted once. For more information about the qualifying occupancy period and continuous occupancy, see the "Additional information" section at the end of this return.

Note: If you are an individual who is an owner of multiple residential properties, or if you and your spouse or common-law partner (who is neither a Canadian citizen nor a permanent resident of Canada) are owners of multiple residential properties, your (and your spouse's or common-law partner's) personal occupancy is not included in a qualifying occupancy period for lines 530 and 540 unless you have filled out the election in Part 3 to designate the residential property described in Part 2 for purposes of subsection 6(10) of the UHTA for the calendar year.

Is your ownership of the residential property exempt under the qualifying occupancy exemption? . . . . . **505** ☐ Yes ☐ No

If **no**, go to Part 6.

If **yes**, select all of the situations below that apply to you and your ownership of the residential property, and then go to Part 9.

510 ☐ An individual who deals at arm's length with you (and, if applicable, with your spouse or common-law partner) was given continuous occupancy of a dwelling unit that is part of the residential property under an agreement evidenced in writing.

Total number of days during the calendar year that are included in a qualifying occupancy period in this situation . . . . . **515** _____

520 ☐ An individual who does not deal at arm's length with you (or, if applicable, with your spouse or common-law partner) was given continuous occupancy of a dwelling unit that is part of the residential property under an agreement evidenced in writing and for consideration that is not below **fair rent**.

Total number of days during the calendar year that are included in a qualifying occupancy period in this situation . . . . . **525** _____

530 ☐ You, or your spouse or common-law partner, have continuous occupancy and occupy a dwelling unit that is part of the residential property for the purpose of pursuing authorized work under a Canadian work permit.

Total number of days during the calendar year that are included in a qualifying occupancy period in this situation . . . . . **535** _____

540 ☐ Your spouse, common-law partner, parent, or child, who is a Canadian citizen or permanent resident of Canada, has continuous occupancy of a dwelling unit that is part of the residential property.

Total number of days during the calendar year that are included in a qualifying occupancy period in this situation . . . . . **545** _____

Instances of common dates in qualifying occupancy periods reported in lines 515, 525, 535, and 545 . . . . . **547** _____

Total number of days included in all qualifying occupancy periods during the calendar year (total of lines 515, 525, 535, and 545 **minus** line 547) . . . . . **550** _____

Part 6 – Other exemptions

Fill out Part 6 only if you are claiming an exemption described in this part.

Is your ownership of the residential property exempt under any of the following exemptions? . . . . . **605** ☐ Yes ☐ No

If **no**, go to Part 7.

If **yes**, select **one** exemption below that applies to you or your property and go to Part 9.

620 ☐ You are filing this return for the 2022 calendar year and are an owner of the residential property solely in your capacity as one of the following:

- a partner of a partnership that is a **specified Canadian partnership** in respect of the calendar year
- a trustee of a trust that is a **specified Canadian trust** in respect of the calendar year and the residential property.

625 ☐ You are filing this return for the 2022 calendar year and are an owner of the residential property who is a **specified Canadian corporation** in respect of the calendar year.

630 ☐ The residential property is not suitable for year-round use as a place of residence.

635 ☐ The residential property is seasonally inaccessible because public access is not maintained year-round.

640 ☐ The residential property was uninhabitable for at least 60 consecutive days in the calendar year due to disaster or hazardous conditions caused by circumstances beyond your reasonable control, and this exemption did not apply for the same disaster or hazardous condition for more than one previous calendar year.

Date when the residential property became uninhabitable due to disaster or hazardous conditions . . . . . **642** Year Month Day

Date when the residential property became inhabitable again (if applicable) . . . . . **643** Year Month Day

645 ☐ A dwelling unit that is part of the residential property was uninhabitable for at least 120 consecutive days in the calendar year due to renovations, any work in relation to the renovations is carried on without unreasonable delay, and this exemption did not apply for any of the 9 previous calendar years.

Date when the dwelling unit that is part of the residential property became uninhabitable due to renovations . . . . . **647** Year Month Day

Date when the dwelling unit that is part of the residential property became inhabitable again (if applicable) . . . . . **648** Year Month Day

650 ☐ You became an owner of the residential property in the calendar year and you were never an owner of the residential property in the previous nine calendar years.

655 ☐ The owner died during the calendar year or in the previous calendar year.

660 ☐ You are the personal representative of a deceased individual who was an owner of the residential property during the calendar year or the previous calendar year, and you were not an owner of the residential property in either of those calendar years except as the personal representative of the deceased individual.

665 ☐ You were an owner of the residential property with an individual who was also an owner of the residential property on the day the individual died in the calendar year or the previous calendar year, and the deceased individual's ownership percentage at the time of death was at least 25%.

670 ☐ The construction of the residential property is not substantially completed before April of the calendar year.

675 ☐ The construction of the residential property is substantially completed in January, February or March of the calendar year, the residential property is offered for sale to the public during the calendar year and it had never been occupied by an individual as a place of residence or lodging during the calendar year.

680 ☐ The residential property is located in an **eligible area** and is used as a place of residence or lodging by you, or your spouse or common-law partner, for at least 28 days during the calendar year. For 2024 and subsequent calendar years, if you or your spouse or common-law partner own any other residential properties in Canada, you can claim this exemption only in respect of one residential property.

685 ☐ For 2023 and subsequent calendar years, you (or another person related to you) carry on business in Canada (referred in this exemption as the "operator") and the residential property is located in an eligible area and held during the calendar year primarily to provide a place of residence or lodging to an individual so that they can perform their duties as:

- an officer or employee of the operator
- a contractor, or an employee of the contractor, engaged by the operator to render services at that location to the operator, or
- a subcontractor, or an employee of the subcontractor, engaged by such a contractor to render services at that location that are acquired by the contractor for the purpose of supplying services to the operator

Note: For more information about an owner, specified Canadian partnership, specified Canadian trust, specified Canadian corporation, or eligible area, see the "Additional information" section at the end of this return.

Part 7 – Fair market value (FMV) election

Fill out Part 7 only if you are choosing to make an election to use the FMV of your residential property to calculate your UHT owing.

If you choose to make an **FMV** election for this particular residential property, you are electing to use the FMV of your property, instead of its taxable value calculated in Part 2, to calculate your UHT owing for the calendar year.

The FMV election might be appropriate where only a portion of a property is regarded as residential property. For more information, refer to the definition of residential property in the "Additional information" section at the end of this return.

The amount you report as the FMV of the residential property must be supported by a written appraisal prepared by an accredited real estate appraiser operating at arm's length from you with an effective date for FMV that is between January 1 of the calendar year and April 30 of the following year. An FMV election only applies to the UHT return for which the FMV election is made.

Are you electing to use the FMV of the property to calculate the tax owing? . . . . . **705** ☐ Yes ☐ No

If line 705 is **yes**, what is the appraised FMV of the property? . . . . . **715** _____

Effective date of FMV appraisal . . . . . **720** Year Month Day

Note: The written appraisal must be prepared by an accredited member of the Appraisal Institute of Canada or a comparable body and conform to the standards of practice of the applicable body. Keep the original written appraisal in case the CRA asks to see it later. The due date for making the election is the same as the due date for the UHT return to which the election applies. Generally, the election cannot be revoked or amended for a calendar year once it is validly made for that calendar year.

Part 8 – Calculation of tax payable

Taxable value (enter amount 2A, or if you are making an FMV election in Part 7, enter the amount from line 715) . . . . . _____ 8A

Your ownership percentage (amount from line 265) . . . . . _____ % 8B

Taxable amount (amount 8A **multiplied by** amount 8B) . . . . . _____ 8C

Underused housing tax owing . . . . . Amount 8C _____ × 1% = **375** _____

Amount of payment enclosed . . . . . **400** _____

Note: You will be subject to penalties and interest for failure to file this return or to pay tax owing on time. For more information, see the "Additional information" section at the end of this return.

Part 9 – Election and return certification

I certify that the information given on this return and in any attached document is correct and complete. I understand that any missing or incorrect information may delay the processing of my return. I also understand that it is a serious offence to make a false statement.

960 _____
(Print) Name of individual, legal representative, or authorized person

961 _____
Position or office of the legal representative or authorized person

962 _____
Signature of individual or authorized person

963 Date Year Month Day

Note: In the case of an owner that is not an individual, this must be signed by an authorized person. If the owner is an individual, this must be signed by the individual or the individual's legal representative. For more information, see the "Additional information" section at the end of this return.

Privacy notice

Personal information (including the SIN) is collected and used to administer or enforce the Underused Housing Tax Act, its Regulation, and related programs and activities including administering tax, audit, compliance, and collection activities. The information collected may be disclosed to other federal, provincial, territorial, aboriginal, or foreign government institutions to the extent authorized by law. Failure to provide this information may result in paying interest or penalties, or in other actions. Under the Privacy Act, individuals have a right of protection, access to and correction of their personal information, and to file a complaint with the Privacy Commissioner of Canada regarding the handling of their personal information. Refer to Personal Information Banks CRA PPU 005 and CRA PPU 047 on Info Source at **canada.ca/cra-info-source**.

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Additional information

For comprehensive definitions, interpretations, and general rules of application for the Underused Housing Tax (UHT), go to **canada.ca/cra-uht**. The information in this publication does not replace the law found in the Underused Housing Tax Act (UHTA).

What is the UHT?

The UHT, which took effect on January 1, 2022, is a tax on the ownership of vacant or underused residential properties that are situated in Canada.

Starting with the 2022 calendar year and for each following calendar year, owners of residential properties that are situated in Canada have to determine if they have to file UHT returns and pay the UHT on their residential properties.

Who has to file a UHT return?

Persons who, on December 31 of a calendar year, are affected owners of residential properties situated in Canada have to file a UHT return for each residential property they own in Canada. If you own a residential property in more than one capacity, you have to file a UHT return for each capacity in which you are an affected owner of the residential property.

Persons who, on December 31 of a calendar year, are excluded owners of residential properties that are situated in Canada do not have to file UHT returns.

Who has to pay the UHT?

Persons who, on December 31 of a calendar year, are affected owners of residential properties situated in Canada must pay the UHT on each residential property they own in Canada, unless their ownership of a particular residential property is exempt for the calendar year.

All of the UHT exemptions are outlined in Parts 4, 5, and 6 of this return. For a more comprehensive explanation of these exemptions, go to **canada.ca/cra-uht**.

Persons who, on December 31 of a calendar year, are excluded owners of residential properties that are situated in Canada do not have to pay the UHT on their residential properties.

Authorized person or legal representative

In the case of an owner who is not an individual, Part 9 of the return must be filled out by an individual who has been duly authorized by the owner.

In the case of an owner who is an individual, Part 9 must be filled out by the individual or a legal representative of the individual who has authority according to a legal document that is sufficiently broad to cover acting on behalf of the individual in connection with this return.

For more information, go to **canada.ca/taxes-representative-authorization** and select "Legal representative".

Filing and tax payable due dates

You must file your UHT return for a calendar year on or before April 30 of the following calendar year. If April 30 falls on a Saturday, Sunday, or a public holiday recognized by the CRA, your return is due on the next business day.

You must pay all UHT owing for a residential property, for a given calendar year, to the Receiver General on or before April 30 of the following calendar year. If April 30 falls on a Saturday, Sunday, or a public holiday recognized by the CRA, your payment is due on the next business day.

If you do not meet your filing and payment obligations under the UHTA, the CRA may refuse, under subsection 116(8) of the Income Tax Act, to issue a certificate of compliance in respect of the disposition of the property.

Payments

If an amount of UHT owing is less than $50,000, you can attach a cheque or money order to your UHT return. You can also pay amounts of less than $50,000 owing electronically. For more information on how to make your payment, go to **canada.ca/payments**.

For amounts owing that are $50,000 or more, you must make your payment through an accepted financial institution.

Keeping records

If you are required to file a UHT return for a calendar year (even if there is no UHT owing), you must keep records related to the determination of your liabilities and obligations under the UHTA. If you do not keep adequate records to support that your ownership of a residential property is exempt from UHT for a calendar year, the CRA may reject your claim for exemption. Unless otherwise authorized by the Minister, a record must be kept in Canada in English or in French.

You must keep these records for a minimum of **six years** after the end of the calendar year to which they relate.

Penalties

If you do not file your UHT return for a residential property for a calendar year by April 30 of the following calendar year, you have to pay a penalty that is the greater of the two following amounts:

- $1,000 for affected owners that are individuals or $2,000 for affected owners that are not individuals (such as corporations)
- the amount that is the total of:
  - 5% of your UHT payable for the residential property for the calendar year
  - 3% of your UHT payable for the residential property for the calendar year, multiplied by the number of complete calendar months that the return is past due

If a UHT return for a calendar year is not filed by December 31 of the following year, the determination of UHT payable for the residential property for the calendar year for purposes of calculating the late-filing penalty (as shown in the second bullet above) will be made without the benefit of the following exemptions:

- exemption in Part 4 of this return
- exemption in Part 5 of this return
- exemptions on lines 630, 635, 640, 645, and starting with the 2023 calendar year, line 680 in Part 6 of this return

Interest

If you do not pay an amount of UHT owing for a calendar year to the Receiver General by April 30 of the following calendar year, interest will be calculated and added to that amount.

Interest will be compounded daily at the specified rate, calculated starting on the first day after the day on or before which the amount was required to be paid and ending on the day the amount is paid.

Multiple residential properties rules and election

Generally, the exemptions for primary place of residence (Part 4 of this return) and qualifying occupancy (Part 5, lines 530 and 540 of this return) are intended for the personal occupancy of a residential property by an affected owner or certain members of their family. Each of the exemptions includes specific situations where the personal occupancy of the residential property by the affected owner or certain members of their family qualifies for exemption.

However, an affected owner cannot qualify for either of the two exemptions for their (or their spouse's or common-law partner's) personal occupancy of more than one residential property. Therefore, a special rule deals with the two exemptions when the affected owner (or the affected owner and their spouse or common-law partner together) has multiple residential properties.

If you are an affected owner, the special rule applies to you for a calendar year if all of the following conditions are met on December 31 of the calendar year:

- you are an individual who is neither a Canadian citizen nor a permanent resident of Canada, and are an owner of a particular residential property;
- either (or both) of these apply:
  - you are an owner of one or more other residential properties
  - your spouse or common-law partner, who is neither a Canadian citizen nor a permanent resident of Canada, is an owner of one or more other residential properties

Depending on the ownership of the multiple residential properties, you alone may file an election, or you and your spouse or common-law partner together may file a joint election, to designate one of the multiple residential properties for the exemptions for the calendar year.

By designating that one residential property in the election, you are declaring all of the following:

- only that one residential property can be considered as qualifying for the exemption for primary place of residence
- for only that one residential property can your personal occupancy of a dwelling unit, or the personal occupancy of your spouse or common-law partner, be considered as usable for the exemption for qualifying occupancy (only for the qualifying occupants in lines 530 and 540)

Use Part 3 to make this election.

Note: The election in Part 3 does not impact your eligibility to the exemptions at lines 510, 520, and 540 (only for a Canadian parent or child). You may still be eligible for these exemptions without designating the residential property described in Part 2.

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Where to send your UHT return

If you are an individual who lives in or a corporation located in:

- United States of America (USA), United Kingdom, France, Netherlands or Denmark
- Alberta, British Columbia, Manitoba, Saskatchewan, Northwest Territories, Nunavut or Yukon
- the following places in Ontario: anywhere except Barrie, Sudbury or Toronto

Send your UHT return to:

Winnipeg Tax Centre
Post Office Box 14001,
Station Main
Winnipeg MB R3C 3M3
Canada
Fax: **204-984-5164**

If you are an individual who lives in or a corporation located in:

- countries other than the USA, United Kingdom, France, Netherlands or Denmark
- New Brunswick, Newfoundland and Labrador, Nova Scotia, Prince Edward Island or Quebec
- the following places in Ontario: Barrie, Sudbury or Toronto

Send your UHT return to:

Sudbury Tax Centre
1050 Notre Dame Avenue
Sudbury ON P3A 5C2
Canada
Fax: **705-671-3994** and **1-855-276-1529**

Definitions

Affected owner

An administrative term that the CRA uses to refer to a person who is an owner of a residential property, but who is not an excluded owner of the residential property.

Use the interactive tool at **canada.ca/en/services/taxes/excise-taxes-duties-and-levies/underused-housing-tax/determine-your responsibilities/determine-affected-excluded.html** to help determine if you are an affected owner who must file a UHT return.

Assessed value

The assessed value in respect of a residential property means the value established by an authority that has the power under Canadian federal or provincial law to establish the assessed value of property for the purposes of calculating a property tax and refers to the full assessed value of the parcel of real or immovable property, of which the residential property is the whole or a part, as stated in the property assessment notice (or similar document) issued by the authority that establishes real or immovable property values in the area where the residential property is located.

For more information, refer to the Underused Housing Tax Notice UHTN2, Calculating the Underused Housing Tax Payable, at **canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn2/calculating-underused-housing-tax-payable.html**.

Continuous occupancy

Generally, if an individual has the right to occupy a dwelling unit for a period on a continuous basis (without interruption throughout the period), the individual has continuous occupancy of the dwelling unit for the period as found in section 6 of the UHTA. An individual's continuous occupancy is not necessarily interrupted by the individual's physical absence from the dwelling unit at a time in the period if it meets all of the following conditions:

- the individual still has the right to occupy the dwelling unit throughout their physical absence
- the right to occupy the dwelling unit is not given to another individual for any part of the physical absence

Dwelling unit

A dwelling unit is a residential unit that contains private kitchen facilities, a private bath, and a private living area.

Generally, a residential unit is a single self-contained set of rooms, in a building or part of a building, that is distinguished from any other such set of rooms in the building or part of the building and that is characteristic of, and suitable as, a residence.

Eligible area

An administrative term that the CRA uses to refer to any of the following locations in which your residential property is located:

- outside both a census metropolitan area and a census agglomeration
- inside a census agglomeration having a total population of less than 30,000 residents
- inside a census metropolitan area or a specified census agglomeration, but outside a population centre that is part of such an area or agglomeration

A specified census agglomeration has a total population of 30,000 or more residents.

Excluded owner (applicable for the 2023 and subsequent calendar years)

In the 2023 and subsequent calendar years, you are an excluded owner of a residential property in Canada if you are any of the following on December 31 of the calendar year:

- an owner of a residential property in your capacity as a trustee of any of the following trusts:
  - a specified Canadian trust (new excluded owner, starting with the 2023 calendar year)
  - a mutual fund trust for Canadian income tax purposes
  - a real estate investment trust (REIT) for Canadian income tax purposes
  - a specified investment flow-through (SIFT) trust for Canadian income tax purposes
- an owner of a residential property in your capacity as a partner of a specified Canadian partnership (new excluded owner, starting with the 2023 calendar year)
- an owner of a residential property in a capacity other than as a trustee of a trust or partner of a partnership if you are:
  - an individual who is a Canadian citizen or permanent resident of Canada
  - a specified Canadian corporation (new excluded owner, starting with the 2023 calendar year)
  - a Canadian corporation whose shares are listed on a Canadian stock exchange designated for Canadian income tax purposes
  - a registered charity for Canadian income tax purposes
  - a cooperative housing corporation, hospital authority, municipality, para-municipal organization, public college, school authority, or university for GST/HST purposes
  - an Indigenous governing body
  - the government of Canada or a province, or an agent of the government of Canada or a province
  - a Canadian corporation whose shares are substantially owned or controlled by a mutual fund trust, a REIT, a SIFT trust, or by a Canadian corporation whose shares are listed on a Canadian stock exchange designated for Canadian income tax purposes (new excluded owner, starting with the 2023 calendar year)
- an individual who is a Canadian citizen or permanent resident of Canada and is an owner of the residential property as a personal representative of a deceased individual

For a list of persons who are excluded owners for the 2022 calendar year, refer to the Underused Housing Tax Notice UHTN1, Introduction to the Underused Housing Tax, at **canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn1.html**.

Clear Data

Fair market value

Generally, fair market value is the highest price, expressed in terms of money or money's worth, obtainable in an open and unrestricted market between knowledgeable, informed, and prudent parties that are acting at arm's length, neither party being under any compulsion to transact.

Fair rent

Fair rent is the amount that is 5% of the taxable value of the residential property for the calendar year.

Owner

You are an owner of a residential property if you are any of the following:

- identified as an owner of the residential property in the land registration system where the residential property is located
- considered an owner of the residential property based on such a land registration system
- a life tenant under a life estate in the residential property
- a life lease holder of the residential property
- a lessee who has continuous possession of the land, on which the residential property is situated, under a long-term lease

You are not an owner of a residential property if you give continuous possession of the land, on which the residential property is situated, to either of the following:

- a life lease holder of the residential property
- a lessee under a long-term lease

Ownership percentage

If you are an affected owner of a residential property on December 31 of a calendar year, your ownership percentage of the residential property for the calendar year is determined as follows:

- if you are an owner of the residential property in a single capacity and the land registration system indicates you hold a particular percentage of ownership of the residential property, use that percentage
- if you are an owner of the residential property in more than one capacity and the land registration system separately indicates a percentage of ownership for each of your ownership capacities, use the percentage indicated for the applicable ownership capacity
- If the land registration system indicates a group of persons that holds a percentage of ownership of the residential property, and you are part of that group, divide that percentage by the number of persons in the group.
- If none of the above apply, use the percentage obtained by the formula

$$(100\% - A) \div B$$

where:

A is the sum of all percentages of ownership held by another person or group of persons as indicated in the land registration system

B is the total number of persons (without taking their ownership in multiple capacities into account) with no percentage of ownership indicated in the land registration system

It is your responsibility to maintain adequate records to support your ownership percentage determination. If you do not have adequate records to support your determination, the CRA may determine your ownership percentage using one of the aforementioned rules applicable to the situation.

For more information, refer to the Underused Housing Tax Notice UHTN2 at **canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn2/calculating-underused-housing-tax-payable.html**.

Primary place of residence

Generally, if you have more than one place of residence, the place of residence that is first in order of importance to you is your primary place of residence. A place of residence that is not first in order of importance to you is a secondary place of residence. For example, a secondary place of residence may be one that is used mainly for recreational purposes or that is occupied less often than another residence. If you are neither a Canadian citizen nor a permanent resident of Canada and your primary place of residence is outside Canada, any residential property that you own in Canada will generally be considered to be a secondary place of residence, unless you can prove otherwise.

There are special rules for owners and their spouses or common-law partners who own multiple residential properties. For more information, see the multiple residential properties rules and election section.

Qualifying occupancy period

If you are an affected owner of a residential property on December 31 of a calendar year, your ownership of the residential property may be exempt from the UHT for the calendar year if at least 180 days in the calendar year are included in one or more qualifying occupancy periods for your ownership of the residential property.

A qualifying occupancy period is a period of at least one month in a calendar year during which one of the following qualifying occupants has continuous occupancy of a dwelling unit that is part of the residential property:

- an individual who deals at arm's length with you and with your spouse or common-law partner (if you have one) and who is given continuous occupancy of the dwelling unit under an agreement evidenced in writing (such as a lease agreement)
- an individual who does not deal at arm's length with you or with your spouse or common-law partner (if you have one) and who is given continuous occupancy of the dwelling unit under an agreement evidenced in writing for consideration that is not below the fair rent for the residential property, prorated for the period
- an individual who is the owner or the owner's spouse or common-law partner and who occupies the dwelling unit to pursue authorized work under a Canadian work permit
- an individual who is a spouse, common-law partner, parent, or child of the owner and who is a Canadian citizen or permanent resident of Canada

If you are an affected owner who is an individual, and the only qualifying occupants who have continuous occupancy of a dwelling unit are you, or your spouse, common-law partner, parent, or child, you cannot include a calendar month in a qualifying occupancy period if each of these individuals occupies a place other than the residential property for an equal or greater number of days than the number of days that they occupy the residential property.

There are special rules for owners and their spouses or common-law partners who own multiple residential properties. For more information, see the multiple residential properties rules and election section.

Residential property

Generally, for purposes of UHT, residential property is property situated in Canada that is either of the following:

- a detached house or similar building that contains not more than three dwelling units, along with any appurtenances and the related land
- a semi-detached house, rowhouse unit, residential condominium unit (other than a prescribed residential condominium unit described in section 1.1 of the Underused Housing Tax Regulations) or other similar premises, along with any common areas or appurtenances and the related land

Related land refers to the land that is subjacent or immediately contiguous to a residential building and that is reasonably necessary for its use and enjoyment as a place of residence for individuals. Generally, up to a half hectare of land that is subjacent and immediately contiguous to a residential building is considered to be reasonably necessary for the building's use and enjoyment as a place of residence for individuals.

Specified Canadian corporation

A specified Canadian corporation, in respect of a calendar year, means a corporation that is incorporated or continued under the laws of Canada or a province other than a corporation that is, on December 31 of the calendar year:

- a corporation in respect of which any of the following persons have ownership or control, directly or indirectly, of shares of the corporation representing 10% or more of the value of the equity in the corporation or carrying 10% or more of the voting rights under all or under some circumstances:
  - an individual who is neither a Canadian citizen nor a permanent resident of Canada
  - a corporation that is incorporated or continued otherwise than under the laws of Canada or a province
  - any combination of individuals or corporations referred to above
- a corporation without share capital having either of the following:
  - a chairperson or other presiding officer who is neither a Canadian citizen nor a permanent resident of Canada
  - 10% or more of its directors who are neither Canadian citizens nor permanent residents of Canada

Clear Data

Specified Canadian partnership (applicable for the 2023 and subsequent calendar years)

In the 2023 and subsequent calendar years, a partnership is a specified Canadian partnership for a calendar year if on December 31 of the calendar year each member is:

- a person referred in the third bullet of the above definition of excluded owner (applicable for the 2023 and subsequent calendar years)
- a specified Canadian partnership
- a specified Canadian trust
- a mutual fund trust, REIT or SIFT trust for Canadian income tax purposes

For information about a partnership that is a specified Canadian partnership for the 2022 calendar year, refer to the Underused Housing Tax Notice UHTN4, Exemptions for Specified Canadian Partnerships, Trusts, and Corporations, at **canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn4.html**.

Specified Canadian trust (applicable for the 2023 and subsequent calendar years)

In the 2023 and subsequent calendar years, a trust is a specified Canadian trust for a calendar year if on December 31 of the calendar year each beneficiary is:

- a person referred in the third bullet of the above definition of excluded owner (applicable for the 2023 and subsequent calendar years)
- a specified Canadian partnership
- a specified Canadian trust
- a mutual fund trust, REIT or SIFT trust for Canadian income tax purposes

For information about a trust that is a specified Canadian trust for the 2022 calendar year, refer to the Underused Housing Tax Notice UHTN4 at **canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn4.html**.

Taxable value

The taxable value of a residential property for a calendar year is the greater of the two following amounts:

- the assessed value in respect of the residential property
- the residential property's most recent sale price on or before December 31 of the calendar year

For more information, refer to the Underused Housing Tax Notice UHTN2 at **canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn2/calculating-underused-housing-tax-payable.html**.