

Use Form DR-95B to calculate credits for sales and use tax paid on repossessed motor vehicles. The dealer who originally paid the tax on the vehicle may claim credit on its *Sales and Use Tax Return* (Form DR-15) or request a refund by submitting an *Application for Refund – Sales and Use Tax* (Form DR-26S).

Instructions for completing Form DR-95B

- Column 1 - Customer's name - Name of customer from whom the vehicle was repossessed.
- Column 2 - Property description.
- Column 3 - Date sales or use tax paid to Florida Department of Revenue.
- Column 4 - Sales tax paid on original purchase - include discretionary sales surtax, if applicable.
- Column 5 - Purchase price less trade-in - Price of unit less trade-in, if any. Actual amount of original purchase price should not include nontaxable charges, such as interest, penalty charges, carrying charges, license fees, notary fees, etc.
- Column 6 - Purchase price less trade-in less cash down - Price of unit less trade-in and any cash down payment.
Note: Complete Column 5 and Column 6.
- Column 7 - Length of contract in months - Total number of months for which contract was written.
- Column 8 - Monthly payment prorated - Divide Column 6 by Column 7.
- Column 9 - Sales or use tax rate at time of purchase, including surtax, if applicable - divide Column 4 by Column 5.
- Column 10 - Number of payments unpaid - Total of unpaid payments on the contract.
- Column 11 - Tax credits - Multiply columns 8, 9 and 10. **Note:** After the date of repossession, the dealer who paid the tax may take a credit on a subsequent return or obtain a refund. See Rule 12A-1.012(2)(a), Florida Administrative Code.
- Column 12 - Actual date of repossession - Indicate the specific date (month, day, and year) the motor vehicle was repossessed.

Note: Copy of invoice must be attached supporting each repossession.

Method of Determining Tax Credit - Divide Column 6 by Column 7, which equals Column 8. Divide Column 4 by Column 5, which equals Column 9. Multiply Columns 8, 9, and 10, which equals Column 11 (tax credit).

Rule Reference

Rule 12A-1.012(2)(a), Florida Administrative Code, states: A dealer who has paid sales tax in full on the selling price of tangible personal property sold under a retain title, conditional sale or similar contract may, upon repossession of the property (with or without judicial process), take credit on a subsequent return or obtain a refund of that portion of the tax that is applicable to the unpaid balance of the contract. The return or refund shall be based on the ratio that the total tax bears to the unpaid balance of the sales price, excluding finance of other nontaxable charges, as reflected in the sales contract. Refund or credit must be claimed within 12 months following the month in which the property was repossessed.

For Information and Forms



Information and forms are available on our Internet site at:

www.myflorida.com/dor



To speak with a Department of Revenue representative, call Taxpayer Services, Monday through Friday, 8 a.m. to 7 p.m., ET, at 800-352-3671.



Persons with hearing or speech impairments may call our TDD at 800-367-8331 or 850-922-1115.



For a written reply to tax questions, write:

Taxpayer Services
Florida Department of Revenue
5050 W Tennessee St Bldg L
Tallahassee FL 32399-0112

Get the Latest Tax Information

Sign up to get e-mail notices automatically when we post:

- Tax Information Publications (TIPs).
- Facts on Tax, a quarterly publication.
- Proposed rules, notices of rule development workshops, and more.

Sign up at: **www.myflorida.com/dor**