

Date

## INSTRUCTIONS FOR COMPLETING FORM DR-95B

Any business registered with the Florida Department of Revenue as a sales and use tax dealer may use Form DR-95B to calculate the amount of tax credit or tax refund due on the unpaid balance of a financing contract for repossessed tangible personal property when the business:

- sells tangible personal property under a retail installment, title loan, conditional sale, contract with a retention of title provision, or similar financing contract;
- retains a security interest in the property that was sold (through a financing agreement entered into directly with the purchaser or, when financed by a financing institution, the business becomes liable for the outstanding debt at the time of repossession);
- paid sales tax, plus applicable discretionary sales surtax, on the sales price of the property to the Florida Department of Revenue; and
- repossesses the financed property.

The amount of tax credit or tax refund due is based on the ratio that the total tax has in relation to the unpaid balance of the sales price, excluding finance or other nontaxable charges. **A tax credit or tax refund must be claimed within 12 months following the month in which the property is repossessed.**

The registered business that paid the tax and applicable surtax to the Department may claim a credit on a *Sales and Use Tax Return* (Form DR-15) or apply for a refund by submitting an *Application for Refund – Sales and Use Tax* (Form DR-26S) to the Florida Department of Revenue. When taking a credit on your return, the completed schedule must be maintained in your books and records. When applying for a refund, attach this completed schedule to Form DR-26S, along with the information and documentation required on Form DR-26S, and maintain a copy of the schedule and the refund application in your books and records.

### Column by Column Instructions

#### **Column 1 Customer's Name**

Enter the name of each customer from whom financed tangible personal property was repossessed.

#### **Column 2 Description of Property**

Enter a description of each item of tangible personal titled property listed. For motor vehicles, boats, and aircraft, include the year, make, model number, and the VIN, serial, or hull number.

#### **Column 3 Date Tax and Surtax Paid**

Enter the date the sales and use tax, plus any applicable discretionary sales surtax, was paid to the Florida Department of Revenue on each item of property listed.

#### **Column 4 Amount of Tax and Surtax Paid**

Enter the amount of sales tax and surtax paid on each item listed.

#### **Column 5 Amount of Purchase Price Less Trade-In**

Enter the sales price of each item listed, less any trade-in credit taken at the time of sale. Include all charges subject to sales and use tax, plus any applicable discretionary sales surtax, at the time of sales. Do not include nontaxable charges, such as interest or penalty charges.

#### **Column 6 Amount of Purchase Price Less Trade-In and Cash Down Payment**

For each item listed, enter the sales price less the amount of any trade-in credit and cash down payment at the time of sale.

#### **Column 7 Number of Payments Due Under Financing Agreement**

For each item listed, enter the total number of payments due under the retail installment, title loan, conditional sale, contract with a retention of title provision, or similar financing contract for the item purchased.

#### **Column 8 Prorated Payment Amount**

For each item listed, divide the amount in Column 6 by the amount in Column 7 to calculate the prorated payment for the item. Enter the result in Column 8.

**Column 9 Rate Factor**

For each item listed, divide the amount in Column 4 by the amount in Column 5 to calculate the sales and use tax and surtax rate at time of purchase. Enter the calculated rate in Column 9.

**Column 10 Total Number Payments Remaining Due**

For each item listed, subtract any late penalties paid on the account from the total amount paid on the account. Divide the result by the amount of the monthly payment due under the financing contract (amount due when paid timely). Subtract the calculated number from the total number of payments due under the financing contract to calculate the number of payments remaining due. Enter the result in Column 10.

Total number of payments that remain due. Divide the total amount paid on the account, less late filing penalties paid, by the monthly payment amount. Subtract this number from the total number of payments due. The result is the number of payments that remain due.

**Column 11 Amount of Tax Credit or Tax Refund**

For each item listed, multiply the number in Column 8 by Column 9 by Column 10 and enter the result in Column 11. This amount is the amount of tax credit or tax refund due on the repossessed item.

**Column 12 Date of Repossession**

For each item listed, enter the date (day, month, and year) the property was repossessed.

## CONTACT US

Information, forms, and tutorials are available on the Department's website: **floridarevenue.com**

**To speak with a Department representative**, call Taxpayer Services at 850-488-6800, Monday through Friday, excluding holidays.

To find a **taxpayer service center** near you, visit **floridarevenue.com**, select "CONTACT," then select "Taxpayer Service Centers."

**For written replies to tax questions**, write to:

Taxpayer Services - Mail Stop 3-2000  
Florida Department of Revenue  
5050 W Tennessee St  
Tallahassee FL 32399-0112

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