

Restriction on purchase tax credit pertaining to acquisition of residential rental building

The amount of tax on taxable purchase, etc. for residential rental building performed by a business in Japan is not to be subject to purchase tax credit (hereinafter referred to as “restriction on purchase tax credit pertaining to acquisition of residential rental building”).

This provision is applied to the amount of tax on taxable purchase, etc. of residential rental building performed on or after October 1, 2020.

However, it is not applied to taxable purchase, etc. of residential rental building performed on or after October 1, 2020 based on the contract which was executed by March 31, 2020.

“Residential rental building”

“Residential rental building” means a building other than buildings which are obviously not used for lease of residential houses, which falls under high-value specified assets*1 or self-constructed high-value assets subject to adjustment*2. Buildings which are obviously not used for lease of residential houses mean that it is objectively apparent that those buildings are not used for lease of residential houses from the conditions of the structure, facilities, etc. of the building. For example, buildings which are obviously not used for lease of residential houses judging from the conditions of facilities, etc. of the building, such as a building of which all portions are used as a store, fall under.

*1. High-value specified assets mean inventory assets or fixed assets subject to adjustment of which amount of payment consideration for taxable purchase, etc. (excluding tax) is 10 million yen or more for one transaction unit.

*2. Self-constructed high-value assets subject to adjustment mean such inventory assets that construction, etc. have been performed by a business operator based on the contract with another person or as inventory assets of the business, and the accumulation of the amount, etc. equivalent to 100/110 of the amount of payment consideration for taxable purchase required for such construction, etc. has reached 10 million yen or more.

Adjustment of the amount of consumption tax for acquisition of residential rental building

In cases where “residential rental building” to which “restriction on purchase tax credit pertaining to acquisition of residential rental building” has been applied is used for taxable rent (use for lease other than lease of a residential house deemed non-taxable) within a certain period thereafter, or where it is transferred to another person within a certain period, the amount of purchase tax credit was determined to be adjusted (see P24).

For details, please read the leaflet, “Information on the Revision of the Consumption Tax Act (April 2020)” (in Japanese) posted on the website of the National Tax Agency (<https://www.nta.go.jp>).