



FINANCE  
NEW YORK  
THE CITY OF NEW YORK  
DEPARTMENT OF FINANCE

# NYC RPT

## NEW YORK CITY DEPARTMENT OF FINANCE REAL PROPERTY TRANSFER TAX RETURN

(Pursuant to Title 11, Chapter 21, NYC Administrative Code)

### GRANTOR

● Name \_\_\_\_\_

● Grantor is a(n):  individual  partnership (must complete Schedule 3) Telephone Number \_\_\_\_\_  
(check one)  corporation  other \_\_\_\_\_

● Permanent mailing address after transfer (number and street) \_\_\_\_\_

● City and State \_\_\_\_\_ Zip Code \_\_\_\_\_

● EMPLOYER IDENTIFICATION NUMBER \_\_\_\_\_ OR ● SOCIAL SECURITY NUMBER \_\_\_\_\_

### GRANTEE

● Name \_\_\_\_\_

● Grantee is a(n):  individual  partnership (must complete Schedule 3) Telephone Number \_\_\_\_\_  
(check one)  corporation  other \_\_\_\_\_

● Permanent mailing address after transfer (number and street) \_\_\_\_\_

● City and State \_\_\_\_\_ Zip Code \_\_\_\_\_

● EMPLOYER IDENTIFICATION NUMBER \_\_\_\_\_ OR ● SOCIAL SECURITY NUMBER \_\_\_\_\_

DO NOT WRITE IN THIS SPACE  
FOR OFFICE USE ONLY

● RETURN NUMBER ▲ \_\_\_\_\_

● DEED SERIAL NUMBER ▲ \_\_\_\_\_

● NYS REAL ESTATE TRANSFER TAX PAID ▲ \_\_\_\_\_

### PROPERTY LOCATION

LIST EACH LOT SEPARATELY. ATTACH A RIDER IF ADDITIONAL SPACE IS REQUIRED

Address (number and street)	Apt. No.	Borough	Block	Lot	# of Floors	Square Feet	Assessed Value of Property

● DATE OF TRANSFER TO GRANTEE: \_\_\_\_\_ ● PERCENTAGE OF INTEREST TRANSFERRED: \_\_\_\_\_ %

### CONDITION OF TRANSFER See Instructions

● Check (✓) all of the conditions that apply and fill out the appropriate schedules on pages 5-11 of this return. Additionally, Schedules 1 and 2 must be completed for all transfers.

<p>a. <input type="checkbox"/> Arms length transfer</p> <p>b. <input type="checkbox"/> Transfer in exercise of option to purchase</p> <p>c. <input type="checkbox"/> Transfer from cooperative sponsor to cooperative corporation</p> <p>d. <input type="checkbox"/> Transfer by referee or receiver (complete Schedule A, page 5)</p> <p>e. <input type="checkbox"/> Transfer pursuant to marital settlement agreement or divorce decree</p> <p>f. <input type="checkbox"/> Deed in lieu of foreclosure (complete Schedule C, page 6)</p> <p>g. <input type="checkbox"/> Transfer pursuant to liquidation of an entity (complete Schedule D, page 6)</p> <p>h. <input type="checkbox"/> Transfer from principal to agent, dummy, strawman or conduit or vice-versa (complete Schedule E, page 7)</p> <p>i. <input type="checkbox"/> Transfer pursuant to trust agreement or will (attach a copy of trust agreement or will)</p> <p>j. <input type="checkbox"/> Gift transfer not subject to indebtedness</p> <p>k. <input type="checkbox"/> Gift transfer subject to indebtedness</p> <p>l. <input type="checkbox"/> Transfer to a business entity in exchange for an interest in the business entity (complete Schedule F, page 7)</p>	<p>m. <input type="checkbox"/> Transfer to a governmental body</p> <p>n. <input type="checkbox"/> Correction deed</p> <p>o. <input type="checkbox"/> Transfer by or to a tax exempt organization (complete Schedule G, page 8)</p> <p>p. <input type="checkbox"/> Transfer of property partly within and partly without NYC</p> <p>q. <input type="checkbox"/> Transfer of successful bid pursuant to foreclosure</p> <p>r. <input type="checkbox"/> Transfer by borrower solely as security for a debt or a transfer by lender solely to return such security</p> <p>s. <input type="checkbox"/> Transfer wholly or partly exempt as a mere change of identity or form of ownership (Complete Schedule M, page 9)</p> <p>t. <input type="checkbox"/> Transfer to a REIT or to a corporation or partnership controlled by a REIT. (Complete Schedule R, pages 10 and 11)</p> <p>u. <input type="checkbox"/> Other transfer in connection with financing (describe) _____</p> <p>v. <input type="checkbox"/> Other (describe): _____</p>
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**TYPE OF PROPERTY (✓)**

a.  ..... 1-3 family house

b.  ..... Individual residential condominium unit

c.  ..... Individual cooperative apartment

d.  ..... Commercial condominium unit

e.  ..... Commercial cooperative

f.  ..... Apartment building

g.  ..... Office building

h.  ..... Industrial building

i.  ..... Utility

j.  ..... OTHER. (describe):  
 OTHER \_\_\_\_\_

**TYPE OF INTEREST (✓)**

Check box at LEFT if you intend to record a document related to this transfer. Check box at RIGHT if you do not intend to record a document related to this transfer.

REC.		NON REC.
a. <input type="checkbox"/>	Fee .....	<input type="checkbox"/>
b. <input type="checkbox"/>	Leasehold Grant .....	<input type="checkbox"/>
c. <input type="checkbox"/>	Leasehold Assignment or Surrender .....	<input type="checkbox"/>
d. <input type="checkbox"/>	Easement .....	<input type="checkbox"/>
e. <input type="checkbox"/>	Development Rights .....	<input type="checkbox"/>
f. <input type="checkbox"/>	Stock .....	<input type="checkbox"/>
g. <input type="checkbox"/>	Partnership Interest .....	<input type="checkbox"/>
h. <input type="checkbox"/>	OTHER. (describe): .....	<input type="checkbox"/>

**SCHEDULE 1 - DETAILS OF CONSIDERATION ▼**

COMPLETE THIS SCHEDULE FOR ALL TRANSFERS AFTER COMPLETING THE APPROPRIATE SCHEDULES ON PAGES 5 THROUGH 11. ENTER "ZERO" ON LINE 11 IF THE TRANSFER REPORTED WAS WITHOUT CONSIDERATION.

1. Cash.....	1.	0 00
2. Purchase money mortgage.....	2.	0 00
3. Unpaid principal of pre-existing mortgage(s).....	3.	0 00
4. Accrued interest on pre-existing mortgage(s).....	4.	0 00
5. Accrued real estate taxes .....	5.	0 00
6. Amounts of other liens on property.....	6.	0 00
7. Value of shares of stock or of partnership interest received.....	7.	0 00
8. Value of real or personal property received in exchange.....	8.	0 00
9. Amount of Real Property Transfer Tax and/or other taxes or expenses of the grantor which are paid by the grantee.....	9.	0 00
10. Other (describe):.....	10.	0 00
11. TOTAL CONSIDERATION (add lines 1 through 10 - must equal amount entered on line 1 of Schedule 2) (see instructions).....	11.	0 00

See instructions for special rules relating to transfers of cooperative units, liquidations, marital settlements and transfers of property to a business entity in return for an interest in the entity.

**SCHEDULE 2 - COMPUTATION OF TAX ▼**

A. Payment	Pay amount shown on line 14 - See Instructions	Payment Enclosed
1. Total Consideration (from line 11, above).....	1.	0 00
2. Excludable liens (see instructions).....	2.	0 00
3. Consideration (Line 1 less line 2).....	3.	0 00
4. Tax Rate (see instructions).....	4.	0 %
5. Percentage change in beneficial ownership (see instructions) .....	5.	100 %
6. Taxable consideration (multiply line 3 by line 5) .....	6.	0 00
7. Tax (multiply line 6 by line 4) .....	7.	0 00
8. Credit (see instructions).....	8.	0 00
9. Tax due (line 7 less line 8) (if the result is negative, enter zero).....	9.	0 00
10. Interest (see instructions).....	10.	0 00
11. Penalty (see instructions).....	11.	0 00
12. Total Tax Due (add lines 9, 10 and 11).....	12.	0 00

**GRANTOR'S ATTORNEY ▼**

Name of Attorney		Telephone Number (    )    -    -	
Address (number and street)		City and State	Zip Code
EMPLOYER IDENTIFICATION NUMBER	-	<b>OR</b>	SOCIAL SECURITY NUMBER

**GRANTEE'S ATTORNEY ▼**

Name of Attorney		Telephone Number (    )    -    -	
Address (number and street) SQUARE SOUTH		City and State	Zip Code
EMPLOYER IDENTIFICATION NUMBER	-	<b>OR</b>	SOCIAL SECURITY NUMBER

**CERTIFICATION ▼**

I swear or affirm that this return, including any accompanying schedules, affidavits and attachments, has been examined by me and is, to the best of my knowledge, a true and complete return made in good faith, pursuant to Title 11, Chapter 21 of the Administrative Code and the regulations issued thereunder.

**GRANTOR**

Sworn to and subscribed to  before me on this _____ day  of _____  Signature of Notary	EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER  Name of Grantor  Signature of Grantor
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Notary's stamp or seal

**GRANTEE**

Sworn to and subscribed to  before me on this _____ day  of _____  Signature of Notary	EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER  Name of Grantee  Signature of Grantee
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Notary's stamp or seal

**GRANTEE:** To ensure that your property and water/sewer tax bills are sent to the proper address you must complete the Registration forms included in this packet. Owner's Registration Cards can also be obtained by calling the Department of Finance at (718) 935-9500.

**SCHEDULE G - TRANSFER BY OR TO A TAX EXEMPT ORGANIZATION**

**NONPROFIT ORGANIZATIONS PLEASE REFER TO THE INSTRUCTIONS "EXEMPTIONS FROM THE TRANSFER TAX"**

**NOTE**

A transfer by or to an eligible tax exempt organization is exempt from the Real Property Transfer Tax. To be eligible, an organization must be operated exclusively for religious, charitable or educational purposes and must provide proof of the organization's tax exempt status. If claiming tax exempt status, please answer questions 1 and 2. Additionally, the organization must provide copies of any letters granting an IRS or New York State sales tax exemption or New York City exemption and ATTACH AN AFFIDAVIT stating whether such an exemption remains in effect.

1. Is the grantor or grantee an organization exempt from taxation pursuant to IRS Code Section 501(c)(3)? (✓) .....  YES  NO  
If "yes", attach a copy of the letter from the U. S. Treasury Department granting the exemption.
2. Has the grantor or grantee received an exemption from sales tax from the NYS Department of Taxation and Finance? (✓)...  YES  NO  
If "yes", attach a copy of the letter from the NYS Department of Taxation and Finance granting the exemption.

**SCHEDULE H - TRANSFER OF CONTROLLING ECONOMIC INTEREST**

- A. Name, address and Employer Identification Number (EIN) of entity with respect to which a controlling economic interest has been transferred:

Name : \_\_\_\_\_

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

EIN 

	-																		
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**NOTE**

If the real property that is the subject of this transfer is owned by an entity other than the entity listed above, check (✓) the box and attach a schedule listing the name, address and Employer Identification Number of the entity.

B. Total percentage of economic interest transferred in this transaction .....	B.	%
C. Total percentage of economic interest transferred by this grantor(s) or others in related transfers or pursuant to plan (including this transaction) .....	C.	%
D. Total percentage of economic interest transferred by this grantor(s) or others within the preceding three years (including this transaction) .....	D.	%
E. Total percentage of economic interest acquired by this grantee(s) or others in related transfers or pursuant to plan (including this transaction) .....	E.	%
F. Total percentage of economic interest acquired by this grantee(s) or others within the preceding three years (including this transaction) .....	F.	%

**NOTE** If any of the above percentages is 50% or more, complete lines 1 and 2 below and Schedules 1 and 2. Attach a rider explaining apportionment of consideration.

**COMPUTATION OF CONSIDERATION**

1. Total consideration for this transfer .....	1.	<input style="width: 100px; height: 20px;" type="text"/>	<input style="width: 50px; height: 20px;" type="text"/>
2. Amount apportioned to item of NYC real property or interest therein (see instructions) .....	2.	<input style="width: 100px; height: 20px;" type="text"/>	<input style="width: 50px; height: 20px;" type="text"/>

**SCHEDULE I - TRANSFERS PURSUANT TO A SEPARATION AGREEMENT, MARITAL SETTLEMENT AGREEMENT OR DIVORCE DECREE**

**NOTE**

The consideration for a transfer pursuant to a separation agreement, marital settlement agreement or divorce decree includes the value of any marital rights exchanged for the property or economic interest as well as any other types of consideration paid by the grantee for the transfer. The consideration will be presumed to be equal to the fair market value of the portion of the property or interest transferred, unless you establish the consideration to be a different amount.

1. What was the fair market value of property at the time of transfer? ..... \$ 0.00
2. Is the property a 1, 2 or 3 family house, residential condominium or residential cooperative apartment? ..  YES  NO  
 If yes, was there a mortgage on the property at the time of transfer? .....  YES  NO  
 If yes, what was the balance due? (Enter also on Schedule 2, line 2) ..... \$ 0.00
3. What was the Grantor's percentage of ownership at the time of the transfer? ..... 0 %  
 If the transfer was between husband and wife jointly as Grantor and either husband or wife individually as Grantee it is presumed that the percentage of ownership transferred will be 50% unless the deed specifies another percentage.
4. **Rebuttable Presumption of Fair Market Value:** if the marital settlement agreement, separation agreement or divorce decree specifies a value for the portion of the property or interest transferred that is different from fair market value, enter that value here. You may choose to submit relevant portions of your separation agreement, marital settlement agreement or divorce decree, or any other information in support of the value attributed to the transferred property if you have evidence that the consideration was other than fair market value ..... \$ 0.00

PLEASE LIST AND ATTACH ANY ADDITIONAL INFORMATION SUBMITTED.

**SCHEDULE M - MERE CHANGE OF FORM TRANSFERS**

For transfers occurring on or after June 9, 1994, a transfer that represents a mere change in identity or form of ownership or organization is not taxable to the extent the beneficial ownership of the real property or economic interest therein remains the same. (See instructions) ATTACH COPIES OF ALL RELEVANT DOCUMENTS.

- For each person or entity who, prior to the transaction being reported on this Schedule M, owned a beneficial interest in the property or economic interest therein transferred, report above the percentage of beneficial interest in that real property or economic interest therein owned by that owner before and after the transfer, and describe the relationship of each beneficial owner to the grantor and grantee. Attach additional pages, if necessary.
- If, for any owner, the amount reported in column D is less than the amount reported in column E, enter zero in column F.

1. NAME OF BENEFICIAL OWNER	B RELATIONSHIP TO GRANTOR	C RELATIONSHIP TO GRANTEE	D PERCENTAGE INTEREST		F CHANGE D minus E
			BEFORE	AFTER	
			%	%	

2. TOTAL CHANGE (total of column F) Enter here and on Schedule 2, line 5.

**WORKSHEET FOR CONDITIONS 1(a) and 1(b)**

- 1. Add lines 1, 2, 7, 8, 9 and 10 from Form NYC-RPT, Schedule 1 and enter total here.....1. \$ \_\_\_\_\_
- 2a. Enter total number of REIT shares received .....a. \_\_\_\_\_
- b. Enter maximum number of REIT shares into which ownership interests may be converted .....b. \_\_\_\_\_
- c. Add lines a and b.....c. \_\_\_\_\_
- d. Enter offering price per share of REIT shares on the date of the transaction reported.....d. \_\_\_\_\_
- e. Multiply line 2c by line 2d .....e. \_\_\_\_\_
- f. Enter value of ownership interests received not convertible into REIT shares .....f. \_\_\_\_\_
- g. Add lines e and f .....2g. \_\_\_\_\_
- 3. Multiply line 1 by .40 for condition 1(a) or .50 for condition 1(b) .....3. \_\_\_\_\_

- If line 3 is greater than line 2g, the transaction does not qualify as a REIT transfer. DO NOT FILE THIS SCHEDULE. You must file Form NYC-RPT and compute your tax due on Schedule 2.
- If line 3 is less than or equal to line 2g, the transaction will qualify as a REIT Transfer, provided the other conditions are met. You should complete Form NYC-RPT substituting on line 4 of Schedule 2:
  - .5% instead of 1%;
  - .7125% instead of 1.425%;
  - 1.3125% instead of 2.625%

SEE INSTRUCTIONS TO DETERMINE WHICH TAX RATE APPLIES

**Instructions for Completing Worksheet**

**LINE 1**

Where the value of the underlying property transferred or interest therein is used in determining the consideration for a REIT Transfer, you may, but are not required to, report as the value of the real property or interest therein (Form NYC-RPT, Schedule 1, line 7), the estimated market value as determined by the Department of Finance as reflected on the most recent Notice of Assessment issued by the Department. (See *Statements of Audit Procedure 93-2-GCT/RPTT, 3/1/93* and *95-1-GCT/RPTT, 7/28/95*) Add to the amount reported on line 1 the amount of any mortgages and other liens and encumbrances created in contemplation of the formation of the REIT in the case of condition 1(a) or in contemplation of the transaction reported on this Schedule R in the case of condition 1(b).

the grantor received interests in a partnership or corporation controlled by the REIT that may be converted into REIT shares, enter on line 2b the maximum number of REIT shares into which such interests may be converted and attach an explanation of the terms of the conversion. If the grantor received interests that may be converted into REIT shares but you believe that the offering price for the REIT shares into which such interests may be converted is not a proper measurement of the value of the interests received, do not complete line 2b. Instead, attach an explanation of the terms of the conversion and enter on line 2f the fair market value of the interests received. If the grantor received interests in a partnership or corporation controlled by the REIT that cannot be converted into REIT shares at any time, enter on line 2f the fair market value of the interests received. If you enter an amount on line 2f, attach an explanation of the method used for determining the value of the interests received.

**LINE 2**

If the grantor received REIT shares as consideration for the transfer, enter on line 2a the number of REIT shares received. If

**CERTIFICATION**

I swear or affirm under penalties of perjury that the grantor has no present intention to transfer or convey the REIT shares or interests in a partnership or corporation controlled by the REIT received by the grantor as consideration in the transaction reported on this Schedule R within two years of the date of the transfer, other than a distribution of such shares or interests to the partners or shareholders of the grantor, and that, to the best of my knowledge, condition 3 above regarding the use of the cash proceeds of the REIT offering will be satisfied, if applicable. I further swear or affirm that I will file an amended Form NYC-RPT and pay any additional tax due if any such transfer or conveyance occurs within such two-year period or if condition 3 above, if applicable, ceases to be met.

**GRANTOR**

**GRANTEE**

Sworn to and subscribed to  
before me on this \_\_\_\_\_ day  
of \_\_\_\_\_  
Name of Grantor \_\_\_\_\_

Signature of Notary \_\_\_\_\_  
Signature of Grantor \_\_\_\_\_

Sworn to and subscribed to  
before me on this \_\_\_\_\_ day  
of \_\_\_\_\_  
Name of Grantee \_\_\_\_\_

Signature of Notary \_\_\_\_\_  
Signature of Grantee \_\_\_\_\_

