

## New York City Real Property Transfer Tax

### NEW YORK CITY REAL PROPERTY TRANSFER TAX

#### Regulations on Continuing Lien Exclusion From Consideration

#### Regulations on the Change of Identity or Form of Ownership or Organization Exemption and Transfers of Controlling Economic Interests

#### Form NYC RPT and Instructions

1% If Consideration Is Less Than \$500,000  
1.425% If Consideration Is Greater than \$500,000  
For The Following Transfers:

Conveyances where the real property transferred or the real property in which the economic interest transferred is a one, two or three family house, an individual cooperative apartment, an individual residential condominium unit or an individual dwelling unit in a dwelling which is to be occupied as the residence or home of four or more families living independently of each other, and Grants, assignments or surrenders of leasehold interests in a one, two or three family house, or an independent dwelling unit in a dwelling which is to be occupied or is occupied as the residence or home of four or more families living independently of each other.

#### Other Transfers:

1.425% If Consideration is \$500,000 Or Less  
\$2.625% If Consideration Is Greater Than \$500,000

(Special Rate For Transfers to REITS)

Note: New York State Tax Law, Section 1201(b) and Section 11-2102 of the Administrative Code of the City of New York have been amended effective August 28, 1997 to allow for the City's Real Property Transfer Tax a continuing lien deduction from consideration on the transfer of a one, two or three family house, an individual residential cooperative or condominium unit, or an economic interest in such property if the lien continuing existed before the date of transfer. The deduction will not be allowed on a transfer to a mortgagee, lienor or encumbrancer or to a REIT. A Bulletin of the New York City's Department of Finance on the application of this deduction is anticipated.

Tax must be paid within 30 days of the date of transfer or interest and penalties will be assessed. Tax is payable by the Transferor but there is Transferee liability.



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## REITS

The tax imposed on a deed or other instrument or transaction that conveys or transfers real property or an economic interest in an entity owning real property that qualifies as a “real estate investment trust transfer” may be fifty percent of the otherwise applicable rate. See New York State Tax Law, Section 1201(b) and Administrative Code, Section 11-2102 (e) of the City of New York. See Schedule R (“Real Estate Investment Trust Transfers”) of the Real Property Transfer Tax Return of the New York City Department of Finance.



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