

Real Estate Withholding Certificate

CALIFORNIA FORM

593-C

Part I Seller's Information		Return this form to your escrow company	
Name (including spouse, if applicable – see instructions – type or print)		SSN, FEIN or CA Corporation no.	
Address (number and street)	Private Mailbox No.	Spouse's SSN (if jointly owned)	
City	State	ZIP Code	Note: If you do not furnish your tax ID number this certificate is void and withholding is required.
Property address (if no street address, provide parcel number and country)			

Read the following and check the appropriate boxes. (See line-by-line instructions.)

Part II – Certifications which fully exempt the sale from withholding:

yes no

1. Does the property qualify as the seller's (or decedent's, if being sold by the decedent's estate) principal residence within the meaning of Internal Revenue Code (IRC) Section 121?

2. Did the seller (or decedent, if being sold by the decedent's estate) last use the property as the seller's (decedent's) principal residence within the meaning of IRC Section 121 without regard to the two-year time period?

3. Will the seller have a loss or zero gain for California income tax purposes on this sale? (To check "YES" you must complete Form 593-E, *Real Estate Withholding – Computation of Estimated Gain or Loss*, and have a loss or zero gain on line 16.)

4. Is the real property being compulsorily or involuntarily converted and does the seller intend to acquire property that is similar or related in service or use to qualify for nonrecognition of gain for California income tax purposes under IRC Section 1033?

5. Will the transfer qualify for nonrecognition treatment under IRC Section 351 (transfer to a corporation controlled by the transferor) or IRC Section 721 (contribution to a partnership in exchange for a partnership interest)?

6. Is the seller a corporation (or an LLC classified as a corporation for federal and California income tax purposes) that is either qualified through the California Secretary of State or has a permanent place of Business in California?

7. Is the seller a partnership (or an LLC that is not a disregarded single member LLC and is classified as a partnership for federal and California income tax purposes) with recorded title to the property in the name of the partnership or LLC? (If yes, the partnership or LLC must withhold on nonresident partners or members as required)

8. Is the seller a tax-exempt entity under either California or federal law?

9. Is the seller an insurance company, individual retirement account, qualified pension/profit sharing plan, or charitable remainder trust?

Part III – Certifications which may partially or fully exempt the sale from withholding:

Escrow Officer: See instructions for amounts to withhold.

10. Will the transfer qualify as a simultaneous like-kind exchange within the meaning of IRC Section 1031?

11. Will the transfer qualify as a deferred like-kind exchange within the meaning of IRC Section 1031?

12. Will the transfer of this property be an installment sale that you will report as such for California tax purposes and has the buyer agreed to withhold on each principal payment instead of withholding the full amount at the time of transfer?

Part IV – Seller's Signature

Under penalties of perjury, I hereby certify that the information provided above is, to the best of my knowledge, true and correct. If conditions change, I will promptly inform the withholding agent. I understand that the Franchise Tax Board may review relevant escrow documents to ensure withholding compliance and that completing this form does not exempt me from filing a California income or franchise tax return to report this sale.		
Seller's Name and Title _____	Seller's Signature _____	Date: _____
Spouse's Name _____	Spouse's Signature _____	Date: _____

Seller: If you checked "YES" to **any** question in Part II, you are exempt from real estate withholding.
 If you checked "YES" to **any** question in Part III, you may qualify for a partial or complete withholding exemption.
 If you checked "NO" to **all** of the questions in Part II and Part III, the withholding will be 3 1/3% (.0333) of the total sales price or the alternative withholding amount certified by seller in box 8 of Form 593-B.
 If you are withheld upon, the withholding agent should give you two copies of Form 593-B. *Real Estate Withholding Tax Statement*. Attach one copy to the lower front of your California income tax return and keep the other copy for your records.

IF YOU DID NOT ANSWER "YES" TO ANY QUESTION ABOVE, PLEASE CONTACT YOUR ESCROW OFFICER FOR FORM 593-B FOR ALTERNATIVE WITHHOLDING.