

-Seller Affidavit of Nonforeign Status (FIRPTA)

One form for each Transferor

The Seller Affidavit has been completely revised as of June 2017. Prior to this, almost every time the form was completed, it was not done correctly and therefore was invalid. Now, it is very clear and you should be able to use it effectively. Please remember to complete a separate form for each transferor.

The form is designed to be sent to Escrow/Title once you have a ratified purchase agreement and have opened escrow. You do not need to send to the Selling Broker as the Title Officer will use this form to prepare a Qualified Substitute for the Buyer(s) to sign.

Completing the Seller Affidavit of Nonforeign Status (FIRPTA) form:

2. SELLER INFORMATION

2. A. Enter Property Address

2. B. Enter Transferor's Legal Name

2. D. Enter Exemption Claimed [only 2 choices]

o – I am not a non-resident alien for purposes of U.S. Income Taxation. [Most Sellers]

o – Entity Option [corporation, partnership, LLC, trust and estate transferors]

3. QUALIFIED SUBSTITUTE OR DIRECT DELIVERY TO BUYER

3. A. – Use of Qualified Substitute [Escrow/Title] to satisfy FIRPTA – Note no box to check.

Note that the Qualified Substitute and Listing Broker shall NOT provide the information in 3.B. to Buyer.

3.B. – Transfer Information Direct to Buyer – **NEVER check this box and do not complete the information.**

4. CALIFORNIA WITHHOLDING – States that Seller will give necessary information to Escrow/Title.