

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF THE CHIEF FINANCIAL

OFFICER OFFICE OF TAX AND REVENUE

OFFICE OF THE RECORDER OF DEEDS



REAL PROPERTY RECORDATION AND TRANSFER TAX FORM FP-7/C-GENERAL INSTRUCTIONS

A completed **Tax Return (FP-7/C) is required to record any Deed, Deed of Trust, Modification or Amendment to a Deed of Trust, Trustee’s Deed or Memorandum of Lease for a term of 30 years or more. This is not an exhaustive list; you should contact your legal or tax advisor concerning whether you have a duty to record and file this tax return.**

The Recorder of Deeds Office cannot provide legal advice or assist in completing any forms or documents. We recommend contacting a competent legal advisor for assistance in preparing documents.

Part A- Check the box corresponding to the type of instrument/document being recorded

Part B- Complete all relevant fields as fully as possible. Enter the square, suffix and lot in the appropriate fields. The square, suffix and lot can be found at www.taxpayerservicecenter.com under *Real Property Services/Search Real Property Assessment Database*.

Property Use - Check the appropriate box to indicate the property use.

Commercial and mixed-use property – If any part of the building or structure is commercial (class 2 for real property tax purposes), check the “yes” box in the space provided. If the “yes” box is checked, please indicate, by checking the appropriate box, whether, prior to the execution of the document being recorded, there is majority common ownership (direct or indirect) between the property (or interest therein) being conveyed by such document and the commercial (class 2) portion of the property. A deed shall be considered to transfer commercial property and a security interest instrument shall be considered to encumber commercial property if any portion of the building or structure in which the real property (or interest in the real property) being transferred by the deed or encumbered by the security interest instrument is classified as Class 2 Property (commercial), regardless of whether that portion is transferred in the deed or encumbered by the security interest instrument, if, prior to execution of the deed or security interest instrument, the majority ownership of the real property (or interest in real property) being transferred by the deed or encumbered by the security interest instrument and a portion of the building or structure that is classified as Class 2 Property (commercial) was common (whether direct or indirect). This provision does not apply to real property which is granted the homestead deduction by application of the grantee with the recordation of the deed, as well as an accessory lot included within such deed.

Interest % Conveyed - Enter into the box the percentage of interest being conveyed by the Grantor, such as 100%, 50%, 33%, etc., as applicable.

Parts C & D - Complete all the fields with necessary information.

Parts E & F - Enter the complete name, address, and telephone number of each Grantor and Grantee: Grantor -

party giving title; Grantee - party receiving title. **The address provided by Grantee in Part G will be used for mailing tax bills, assessment notices and other important notices.** It is the owner's responsibility pursuant to DC Code 42-405 to advise the Office of Tax and Revenue of any change of address.

You should expect to receive real property tax bills twice a year (payable by March 31 and September 15). If you do not receive a tax bill, please contact the Office of Tax and Revenue at (202) 727-4829. Please send change of address requests to: Office of Tax and Revenue, Real Property Tax Administration, Attn: Maps & Title Unit, 1101 4th Street, SW, 5th Floor, Washington, DC 20024. A "Change of Address" form with filing instructions is available on the Office of Tax and Revenue's Web site, www.taxpayerservicecenter.com.

Part G - Complete with the necessary information if the billing address is different from the property address in part F.

Part H –

I. Deed To be completed only when there is transfer of title of the real estate, leases for 30 years or longer including renewals, and life estates.

Line 1 "Acquisition Price": Enter the total purchase price or consideration paid or to be paid, including cash, mortgages, and assumed liabilities. Provide a breakdown of the Acquisition Price by entering the relevant amounts under Cash; Deed of Trust and Assumed. For each Deed of Trust and Assumed Deed of Trust enter separately amounts that are exempt from recordation tax and amounts that are subject to recordation tax.

Pursuant to DC Code §42-1103(b-1)(2)(D) every purchase money deed of trust must recite on its face the amount of the purchase money it is securing. Enter the amount of purchase money shown on the face of the document in the "Purchase Money Amount" line(s) of this form.

Line 2: "Current Tax Year Assessed Value": Where there is no consideration paid or required to be paid for the real property or where such consideration is nominal (consideration is deemed nominal if it is less than 30% of the fair market value of the property), enter the fair market value (FMV) of the property using the latest total assessed value.

Tax Exemption Application: For any amounts which an exemption from transfer and/or recordation tax is claimed enter either the complete DC Code provision or the applicable paragraph number from Form ROD 7 and ROD 8. Supporting documentation is required to substantiate a claim for exemption. For more information see Form ROD 4 "Required for Claiming Exemption from Recordation and/or Transfer Tax".

II. Deeds of Trust (No transfer of title): To be completed only for security instruments that are not filed simultaneously with a deed of title. A separate Form FP7/C is to be filed for each deed of trust or mortgage. This section applies to deeds of trust which are refinances, modifications and amendments of commercial and residential deeds of trust; or commercial or residential loans that are not filed in conjunction with the purchase of real estate. Enter the total amount of the deed of trust; and then separately enter amounts that are exempt from recordation tax and amounts that are subject to recordation tax.

Pursuant to OTR Tax Notice 2014-05 "NOTICE REGARDING THE TAXATION OF INSTRUMENTS RELATING TO REFINANCES AND MODIFICATIONS" (see ROD's website for the complete text of the Notice), if the deed of trust is a
Form ROD 1 (Rev. 08/2019)

commercial refinance, modification and/or amendment of a previously recorded deed of trust, where exemption from recordation tax is claimed, the following information and documentation must be attached to this form:

1. **Statement to the FP-7.** The statement at a minimum **MUST** contain the following information and the information **MUST** be presented in the following order:
 - a. The principal face amount of the debt being refinanced or amended/modified;
 - b. Instrument number, date of recordation, amount of tax paid as indicated on the recording stamp, and if applicable the exemption claimed on the prior instrument(s);
 - c. Outstanding principal balance of the existing debt being refinanced or modified/amended;
 - d. In case of modification, amount of advances in the previous 12 months;
 - e. New loan amount;
 - f. Taxable amount, resulting from the difference between the new loan amount, plus the amount of advances in case of modifications, less the outstanding principal balance of the existing deed. **Please enter the taxable amount in Line 3 Part H of the revised FP-7;**
 - g. Amount of recordation tax due. **Please enter this amount in Line 6 Part I of the revised FP-7/C.**
2. **Letter from lender** stating the outstanding principal amount of the existing debt;
3. Copy of **HUD1**;
4. **Copies** of previously recorded security instruments subject to the refinance or modification;
5. Original **new security instrument** containing a recital on its face as to the instrument number of the deed of trust being refinanced, modified or amended.

Line 3: enter total amounts of taxable (nonexempt) deeds of trust from sub part I (Deed) and/or sub part II (Deeds of Trust-no transfer of title).

Tax Exemption Application: For any amounts which an exemption from recordation tax is claimed, enter either the complete DC Code provision or the applicable paragraph number from Form ROD 7. Supporting documentation is required to substantiate a claim for exemption. For more information, see Form ROD 4 "Required for Claiming Exemption from Recordation and/or Transfer Tax".

Part I - Computation of Tax

For recordation tax on residential deed transfers by qualified first-time homebuyers, use Line 1. Multiply the rate of tax .725% by the amount from Part H, Line 1 or Line 2. If this tax rate is selected, attach form ROD 11.

For residential deed transfers where total consideration is less than \$400,000.00, use Lines 2 and 3 by entering the amount from Part H, Line 1 or Line 2.

For residential deed transfers where total consideration is \$400,000.00 and higher, use lines 4 and 5 by entering the amount from Part H, Line 1 or Line 2.

For commercial deed transfers (Class 2 and Mixed-Use properties) where total consideration is less than

\$2,000,000.00, use Lines 4 and 5 by entering the amount from Part H, Line 1 or Line 2.

For commercial deed transfers (class 2 and Mixed-Use properties) where total actual or imputed consideration is \$2,000,000.00 and higher, use Lines 7 and 8 by entering the amount from Part H, Line 1 or Line 2.

For all taxable (nonexempt) deeds of trust other than those reportable on line 9, use line 6 by entering the amount from Part H Line 3.

For all taxable (nonexempt) deeds of trust secured by properties that are Class 2 or Mixed-Use where total debt secured is \$2,000,000.00 and higher, use Line 9 by entering the amount from Part H Line 3.

The \$2,000,000 threshold test is applied by aggregating all debts in deeds of trust pertaining to the same real property that are recorded on the same day. Where the aggregate of debts is \$2,000,000 or higher, all such deeds of trust are reportable on line 9, regardless of the amount of the debt secured by the deed of trust (Refer to OTR Tax Notice).

Part J - Names of all grantors (party(ies) giving title) **and grantees** (party(ies) receiving title) must be listed in the tax return and those names must be printed. All signatures must be acknowledged and notarized.

Form ROD 2 "Affidavit Addendum/FP7CA" may be used when additional space is required for the SIGNATURES by all parties to the deed to the real property(ies). All signatures must be under oath, and this form must be attached to the Form FP-7/C.



Government of the District of Columbia

Office of Tax and Revenue
Recorder of Deeds
1101 4th St. Street, SW
Washington, DC 20024
Phone (202)727-5374

Real Property Recordation and Transfer Tax Form FP-7/C

PART A - Type of Instrument

Deed Deed of Trust Lease for a Term of 30 years or more
 Re-recording Other: _____

PART B - Property Description/Data/Property Being Conveyed

Square Suffix Lot Square Suffix Lot

If more than one lot, list Square/Suffix/Lots below or attach addendum:

Square and/or Parcel Lot(s)

Property Address: Street Number Street Name Quadrant Unit No.

Property Use: Dwelling Units ≤ 5 Apartment Commercial

Is any part of the entire building commercial (Class 2)?

Yes* No Unimproved

*If Yes, is there majority common ownership prior to this transfer? (See Instructions)

Yes† No

† If Yes, this instrument will be taxed as commercial.

Fee Interest % Conveyed: %

Was personal property included in this transfer? Yes* No

*If Yes, what type? Estimated Value \$

PART C - Instrument Submitted by or Contact Person

Name Firm

Address

City State Zip

PART D - Return Instrument To

Name Firm

Address Phone No.

City State Zip

PART E - Grantor(s) Information

Grantor Grantor

Grantor Grantor

Address Phone No.

City State Zip

Grantor(s) Tenancy Tenants in Common Joint Tenants Trustee
 Tenants by Entirety Sole



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Square	Suffix	Lot

II. Deeds of Trust (no transfer of title)

**Tax Exemption Application
Recordation Tax**
(Cite to Specific DC Code Provision)

Amount of Deed of Trust _____

Exempt Amount (s) _____

Nonexempt Amount(s) _____

3. Total Amount of all Nonexempt Deeds of Trust (I & II) _____

PART I: Computation of Tax

For recordation tax on residential deed transfers by qualified first-time homebuyers, use Line 1. For residential deed transfers with a total consideration of less than \$400,000.00, use Lines 2 and 3. For residential deed transfers with a total consideration of \$400,000.00 and higher use, Lines 4 and 5. For commercial deeds and nonexempt security interest instruments with a total consideration of less than \$2,000,000.00, use Lines 4, 5 and 6. For commercial deeds and nonexempt security interest instruments with a total consideration of \$2,000,000.00 and higher, use Lines 7, 8 and 9. (See instructions)

1.	Recordation Tax	0.725% of Line 1, Part H (attach form ROD 11)	\$	
2.	Recordation Tax	1.1% of Line 1 or Line 2, Part H	\$	
3.	Transfer Tax	1.1% of Line 1 or Line 2, Part H	\$	
4.	Recordation Tax	1.45% of Line 1 or Line 2, Part H	\$	
5.	Transfer Tax	1.45% of Line 1 or Line 2, Part H	\$	
6.	Recordation Tax	1.45% of Line 3, Part H	\$	
7.	Recordation Tax	2.5% of Line 1, or Line 2, Part H (\$2,000,000.00 or higher)	\$	
8.	Transfer Tax	2.5% of Line 1, or Line 2, Part H (\$2,000,000.00 or higher)	\$	
9.	Recordation Tax	2.5% of Line 3, Part H (\$2,000,000.00 or higher)	\$	
10.	Total		\$	

PART J: Affidavit (Part A to J)

I/We hereby swear or affirm under penalty of perjury that this return, including any accompanying schedules/documents/and statements, has been examined by me/us and to the best of my/our knowledge and belief, the statements and representations are correct and true. I/We hereby acknowledge that any false statement or misrepresentations I/We made on this return is punishable by criminal penalties under the laws of the District of Columbia.

Grantor(s)

Typed Name

Signature

Date

Subscribed to and sworn to before me

by Grantor(s) this _____ day of

_____, 20_____.

Notary Public

My Commission Expires:
mm/dd/yyyy

Grantee(s)

Typed Name

Signature

Date

Subscribed to and sworn to before me

by Grantee(s) this _____ day of

_____, 20_____.

Notary Public

My Commission Expires:
mm/dd/yyyy