



TK'EMLÚPS TE SECWÉPEMC

DATE
TAX PAID \$
EXEMPTION CODE CLAIMED:

PROPERTY TRANSFER TAX FORM #3
EXEMPTION RETURN (MEMBERS)

- Use this form only if you are claiming an exemption from the tax under section 13 of the *Tk'emlúps te Secwépe mc Property Transfer Tax Law, 2017*.
- **NO PARTIAL EXEMPTIONS ARE AVAILABLE.**
- **Every transferee must qualify for the exemption, and the exemption must apply to the entirety of the interest in land that is subject to the transfer.**
- If you are not claiming an exemption, please complete the Tk'emlúps te Secwépe mc Property Transfer Tax General Return, using PTT Form #1.
- If you need more space when completing this Return, please attach additional details.
- A completed Return must be submitted with the application for registration of the taxable transfer. Applications for registration will not be accepted without a completed Return.
- A transferee who provides false or misleading information in a Return is subject to a penalty and interest and may be subject to court action in accordance with the *Tk'emlúps te Secwépe mc Property Transfer Tax Law, 2017*.
- All Returns are subject to review and reassessment in accordance with the *Tk'emlúps te Secwépe mc Property Transfer Tax Law, 2017*.

A. TRANSFEREE (PURCHASER)

Number of purchasers acquiring an interest in the property with this transaction: _____

PURCHASER 1 - SURNAME OR BUSINESS NAME	FIRST NAME	INITIAL
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ADDRESS (include street or PO box number)

CITY/TOWN	PROV	POSTAL CODE
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SOCIAL INSURANCE NUMBER	DATE OF BIRTH	BAND MEMBER STATUS NUMBER	BUSINESS NUMBER
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Percentage interest being acquired: _____

PURCHASER 2 - SURNAME OR BUSINESS NAME	FIRST NAME	INITIAL
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ADDRESS (include street or PO box number)

CITY/TOWN	PROV	POSTAL CODE
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SOCIAL INSURANCE NUMBER	DATE OF BIRTH	BAND MEMBER STATUS NUMBER	BUSINESS NUMBER
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Percentage interest being acquired: _____

B. CONTACT NAME AND MAILING ADDRESS (if different than A above)

CONTACT NAME	TELEPHONE NUMBER
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ADDRESS (include street or PO box number)

CITY/TOWN

PROV

POSTAL CODE

C. TRANSFEROR (VENDOR)

SURNAME OR BUSINESS NAME

FIRST NAME

INITIAL

SURNAME OR BUSINESS NAME

FIRST NAME

INITIAL

D. DESCRIPTION OF PROPERTY AND TRANSFER

1. REGISTRATION DATE OF TAXABLE TRANSFER: _____ DATE OF TRANSFER AGREEMENT: _____

2. ADDRESS OF THE PROPERTY: _____

3. LEGAL DESCRIPTION OF THE PROPERTY: _____

4. TAXABLE TRANSFER RELATED TO: VACANT LAND LAND WITH IMPROVEMENTS

5. PROPERTY TYPE: RESIDENTIAL COMMERCIAL OTHER: _____

6. TAXABLE TRANSFER TYPE: DISPOSITION OF LEASE (INCLUDING TRANSFER, GRANT, ASSIGNMENT)

LEASE EXTENSION (MODIFICATION AGREEMENT)

OPTION TO RENEW OR EXTEND LEASE

LIFE ESTATE IN LEASE AGE OF TRANSFEREE ON REGISTRATION DATE: _____ YEARS

7. PREPAID LEASE: YES NO

8. TERM: _____ YEARS

9. PERCENTAGE OF THE PROPERTY BEING TRANSFERRED IN THIS TAXABLE TRANSFER: _____

E. DETERMINATION OF FAIR MARKET VALUE

1 PREPAID LEASE:

GROSS PURCHASE PRICE: \$ _____

OTHER CONSIDERATION PAID: \$ _____

PROPERTY TAKEN IN TRADE: \$ _____

2 LEASE THAT IS NOT PREPAID (INCLUDING AN OPTION TO RENEW OR EXTEND THE TERM):

A FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ _____

OR

B LUMP SUM CONSIDERATION PAID: \$ _____

ANNUAL RENTAL PAYMENT IN LAST YEAR RENT FIXED: \$ _____

3 LEASE OF PART OF IMPROVEMENTS ON LAND:

FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ _____

AGGREGATE RENTABLE AREA: _____

AGGREGATE RENTABLE AREA OF IMPROVEMENTS: _____

4 LEASE MODIFICATION AGREEMENT:

A IF 100 YEARS OR LESS

LUMP SUM CONSIDERATION PAID: \$ _____

ANNUAL RENTAL PAYMENT IN LAST YEAR RENT FIXED: _____

B IF GREATER THAN 100 YEARS

FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ _____

5 LIFE ESTATE IN A LEASE:

FAIR MARKET VALUE OF LEASEHOLD INTEREST IN LAND, DETERMINED AS THOUGH THE LIFE ESTATE DID NOT EXIST: \$ _____

F. ADDITIONAL INFORMATION

IF THE GROSS PURCHASE PRICE DIFFERS FROM THE FAIR MARKET VALUE, INDICATE THE REASON FOR THE DIFFERENCE:

RELATED PARTY TRADE FORECLOSURE DISTRESS SALE

OTHER: _____

IF OTHER PROPERTY TAKEN IN TRADE, INDICATE LEGAL DESCRIPTION AND ADDRESS:

G. PROPERTY TRANSFER TAX CALCULATION

FAIR MARKET VALUE OF TAXABLE TRANSFER: \$ _____

EXEMPTION CODE:

1% ON FIRST \$200,000 FAIR MARKET VALUE, 2% ON FAIR MARKET VALUE EXCEEDING \$200,000 BUT NOT EXCEEDING \$2,000,000, 3% ON FAIR MARKET VALUE EXCEEDING \$2,000,000:

\$ _____

TAX EXEMPTION AMOUNT:

\$ _____

PROPERTY TRANSFER TAX PAYABLE: \$ _____

H. ALLOCATION OF GROSS PURCHASE PRICE (NON-RESIDENTIAL PROPERTIES ONLY)

REAL PROPERTY (LAND AND IMPROVEMENTS ONLY): \$ _____

MACHINERY, FURNITURE AND EQUIPMENT: \$ _____

GOODWILL AND OTHER TANGIBLES: \$ _____

OTHER (DESCRIBE): _____ \$ _____

GROSS PURCHASE PRICE: \$ _____

I. ADDITIONAL INFORMATION AND REQUIREMENTS FOR EXEMPTIONS

1 IF CLAIMING EXEMPTION CODE 25, ATTACH EVIDENCE THAT AT LEAST A MAJORITY OF THE SHARES OF THE CORPORATION ARE HELD IN TRUST FOR THE BENEFIT OF THE FIRST NATION OR ALL OF THE MEMBERS OF THE FIRST NATION.

2 IF CLAIMING EXEMPTION CODE 26 UNDER PARAGRAPH (c):

IF THE MEMBER AND THE MEMBER'S SPOUSE ARE COMMON LAW PARTNERS, HAVE THEY COHABITATED FOR AT LEAST ONE YEAR? YES NO

3 IF CLAIMING EXEMPTION CODE 26 OR 27, WILL THE PROPERTY WILL BE USED BY AT LEAST ONE MEMBER AS THEIR PRINCIPAL RESIDENCE? YES NO

4 IF CLAIMING EXEMPTION CODE 27, PROVIDE NAMES OF ALL BENEFICIARIES: _____

J. CERTIFICATION

I CERTIFY THAT THE INFORMATION GIVEN IN THIS RETURN IS COMPLETE AND CORRECT IN ALL RESPECTS.

PURCHASER 1 - SIGNATURE

X

PRINT NAME

TELEPHONE NUMBER

DATE SIGNED

PURCHASER 2 - SIGNATURE

X

PRINT NAME

TELEPHONE NUMBER

DATE SIGNED

CORPORATE TRANSFEREE

I CERTIFY THAT THE INFORMATION GIVEN IN THIS RETURN IS COMPLETE AND CORRECT, AND THAT I AM AN AUTHORIZED SIGNATORY FOR THE TRANSFEREE

SIGNATURE

X

PRINT NAME AND TITLE

TELEPHONE NUMBER

DATE SIGNED

SIGNATURE

X

PRINT NAME AND TITLE

TELEPHONE NUMBER

DATE SIGNED

ACKNOWLEDGEMENT: By signing this Form and applying for this exemption, I acknowledge that the information provided on this form may be verified by *Tk'emlúps te Secwépemc* as required to ensure that I qualify for this exemption, in accordance with the *Tk'emlúps te Secwépemc Property Transfer Tax Law, 2017*.

EXEMPTION CODES

- 24 A taxable transfer to the First Nation as the sole transferee, pursuant to paragraph 13(1)(a) of the *Tk'emlúps te Secwépemc Property Transfer Tax Law, 2017*.
- 25 A taxable transfer to a First Nation Corporation as the sole transferee, pursuant to paragraph 13(1)(b) of the *Tk'emlúps te Secwépemc Property Transfer Tax Law, 2017*.
- 26 A taxable transfer to a member, where
- a) the member is the only transferee, and the interest in land will be the transferee's principal residence,
 - b) all of the transferees are members, and the interest in land will be the principal residence of at least one of the transferees, or
 - c) the member and the member's spouse are the only transferees, and the interest in land will be the transferee's principal residence,
- provided that the transferee will hold the interest in land directly and not as a trustee, pursuant to paragraph 13(1)(c) of the *Tk'emlúps te Secwépemc Property Transfer Tax Law, 2017*.
- 27 A taxable transfer to a trustee who will hold the interest in land in trust for the sole benefit of one or more members and no other person, provided at least one of the members will use the interest in land as their principal residence, pursuant to paragraph 13(1)(d) of the *Tk'emlúps te Secwépemc Property Transfer Tax Law, 2017*.