DO NOT WRITE OR STAPLE IN THIS AREA

Rev. Code 050

STATE OF DELAWARE
Department of Finance
Division of Revenue
820 N. French Street
P.O. Box 8750
Wilmington, Delaware 19899-8750

# REALTY TRANSFER TAX RETURN AND AFFIDAVIT OF GAIN AND VALUE

**FORM 5402**

**Form 5402 must be completed for all conveyances and must be presented at the time of recording.**

## PART A - TO BE COMPLETED BY GRANTOR/SELLER

Enter Employer Identification Number or Social Security Number of the Grantor

1. ☐☐ ☐☐☐☐☐☐☐ ☐☐☐ ☐☐☐ ☐☐☐

2. Name of Grantor
3. Address

City | County
State | Zip Code

4. **Date of real estate conveyance:**

**6. The Grantor is a:**

- ❑ Resident Individual
- ❑ Non-Resident Individual
- ❑ Domestic Corporation (Delaware)
- ❑ Foreign Corporation (Non-Delaware)
- ❑ S Corporation
- ❑ Government Agency
- ❑ Fiduciary (Estate or Trust)
- ❑ Partnership
- ❑ Non-Profit Corporation

## PART B - TO BE COMPLETED BY THE GRANTEE/BUYER

Enter Employer Identification Number or Social Security Number of the Grantee

☐☐ ☐☐☐☐☐☐☐ ☐☐☐ ☐☐☐ ☐☐☐

2. Name of Grantee
3. Address

City | County
State | Zip Code

**4. The Grantee is a:**

- ❑ Resident Individual
- ❑ Non-Resident Individual
- ❑ Domestic Corporation (Delaware)
- ❑ Foreign Corporation (Non-Delaware)
- ❑ S Corporation
- ❑ Government Agency
- ❑ Fiduciary (Estate or Trust)
- ❑ Partnership
- ❑ Non-Profit Corporation

## PART C - PROPERTY LOCATION AND COMPUTATION OF THE TAX

1. Address

City | County
State | Zip Code

| | | |
|---|---|---|
| 2. | **Enter the amount of consideration received including cash, checks, mortgages, liens, encumbrances, and any other good and valuable consideration.** **Was like kind property exchanged? ❑ Yes ❑ No (If yes, see instructions.)** | $ |
| 3. | **Enter the highest assessed value (for local tax purposes) of the real estate being conveyed.** **Was like kind property exchanged? ❑ Yes ❑ No (If yes, see instructions.)** | $ |
| 4. | **Enter the greater of Line 2 or Line 3** | $ |
| 5. | **Percentage rate of realty transfer tax paid to the State of Delaware, county and/or municipality** | 1.5% |
| 6. | **Percentage rate of realty transfer tax paid to the county or municipality** | |
| 7. | **Delaware realty transfer tax percentage (Subtract Line 6 from Line 5)** | |
| 8. | **Delaware Realty Transfer Tax Due (Multiply Line 4 by Line 7)** | $ |

## PART D - EXEMPT CONVEYANCES

If transaction is exempt from Realty Transfer Tax, be certain that all of the above information (including market value of the real estate) is complete and accurate and explain the basis for the exemption:

_____

_____

_____

The seller authorizes the Division of Revenue or such other appropriate state agency as may be designated to obtain any appropriate or necessary federal income tax forms, including their attached schedules or other attachments, and any other related papers filed by such seller which relate solely to the said real estate to which title is purported to be conveyed by the deed or instrument being recorded. Delaware law requires an income tax return to be filed for the taxable year during which there was disposition of real property within this state.

Sworn and Subscribed before me
on this _____ day of
_____, 20 ____

_____

_____
*Seller's Signature*

_____
*Title of Officer/Partner*