

Collection & Certification Form - SELLERS

Pursuant to FinCEN Real Estate Report Rule 31 CFR 1031.320

BACKGROUND

Federal law requires that certain residential real estate transactions purchased with all cash or without institutional lender financing, where at least one buyer/transferee is a legal entity, LLC, corporation, partnership, trust, trustee or other non-natural person, be reported to United States Treasury Department's Financial Crimes Enforcement Network (FinCEN). This form requests information necessary to meet the reporting requirements. For more information about FinCEN's Real Estate Report and what transactions are covered go to alta.org/fincen.

COMPLETING THIS COLLECTION FORM

This collection form has 5 parts:

Part 1 - information about the transaction

Part 2 - information about the person completing this collection form.

Part 3 - information about potential exempt transactions

Part 4 – information about the seller in a covered real estate transaction – Part 4 is broken into three sections, (a) for individual transferors (b) for transferor entities and (c) for transferor trusts.

Part 5 - certification of the accuracy of the information provided on behalf of the seller/transferor. Note that the terms “seller” and “transferor” are interchangeably used in this collection form.

WHY DID I RECEIVE THIS FORM?

If a transaction is subject to the rule described above, then the settlement agent is required to report some limited information about the seller.

ARE THERE ANY EXEMPTIONS?

Transactions do not have to be reported if (a) the buyer is obtaining some mortgage financing from a licensed mortgage lender or (b) the buyers are natural persons. Additionally, there are some transactional exemptions for transfers incident to a divorce, dissolution of civil union, death of the seller or court order. If you think an exemption applies please reach out to your Escrow Officer.



Part 1: Transaction Data

Address of Property being acquired by the Transferee Entity or Transferee Trust (Property)	
Anticipated settlement date for the Property acquisition	
Sale Price	
Settlement Agent/Reporting Person File Number	



Part 2: Information About the Person Completing This Form

Full Legal Name(First, MI, Last)		
Physical Mailing Address (Street, City, State, ZIP) Do not list PO Box		
Phone Number		
Email		
Relationship to Seller/Transferor	Individual Seller Accountant Attorney Real Estate Agent Other _____	
If Seller is a Trust or Entity-Relationship to the Transferor Entity or Trust	Transferor Entity Owner/LLC Member Corporate Office/ LLC Manager Accountant Attorney Real Estate Agent Other _____	Transferor Trust Trustee Beneficiary Accountant Attorney Real Estate Agent Other _____



Part 3: Reporting Exemptions

If an exemption applies, complete this page and sign the certification in part 5. If none, skip to part 3.

<p>Does an exemption from FinCEN reporting apply?</p>	<p>No Yes, a transactional exemption (complete box below)</p>
<p>Which of the following transactional exemptions is the reason you are selling the property? (see <u>31 CFR 1031.320(b)(2)</u>)</p>	<p>Death of an individual including transfer pursuant to the terms of a will or trust</p> <p>Divorce or dissolution of a marriage or civil union</p> <p>Transfer to a bankruptcy estate</p> <p>Court order or supervised by a court</p>



Part 4(a): Transferor - Individual Information

Skip to Part 4(b) if the transferor is an entity or Part 4(c) if transferor is a trust

Full Legal Name (First, MI, Last)	
Date of Birth	
Residential Street Address after settlement Do not list PO Box	
Unique ID For U.S. Persons: Taxpayer ID Number (commonly Social Security Number) For Non-U.S. Persons: Unique ID, Passport Number, and Country of Issuance*	

*In lieu of a passport number, Non-U.S. Persons may also provide a Social Security Number, an alien identification card number, or number and country of issuance of any other government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard.



Part 4(b): Transferor - Entity Information

Full Legal Name of Entity	
Trade name or “doing business as” name (if none, write N/A)	
Street Address for Principal Place of Business Do not list PO Box	
Unique ID: For U.S. entities: Taxpayer ID Number For Non-U.S. Entities: Foreign Tax ID number or entity registration and name of the jurisdiction	



Part 4(c): Transferor - Trust Information

Full Legal Name of Trust (as listed on trust instrument)	
Date Trust instrument was executed (commonly the date on the trust document)	
Street Address for Principal Place of Business Do not list PO Box	
Unique ID: For US trusts: IRS TIN For foreign trusts: a tax identification number issued by a foreign jurisdiction and the name of such jurisdiction	



Part 5: Certification

I hereby certify, to the best of my knowledge, that the information provided in this document is complete and correct. I acknowledge that the settlement agent or other reporting person will rely upon the information provided on this form to (a) determine whether the transaction is reportable and (b) submit the required report to the U.S. Department of Treasury's Financial Crimes Enforcement Network (FinCEN). I agree to indemnify, defend and hold harmless the settlement agent or other reporting person against any and all losses, liabilities, damages, claims, fines, causes of action related to the reporting of information contained in this form to FinCEN under this regulation.

Signature _____

Type/Print Name _____

Date: _____

Legal Entity Identifier: _____
(Optional)

