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Official Deed Forms



**CLAIM FOR REASSESSMENT EXCLUSION FOR
TRANSFER BETWEEN PARENT AND CHILD**

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MERCED COUNTY ASSESSOR-CLERK-RECORDER-ROV
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(209) 385-7631

NAME AND MAILING ADDRESS
(Make necessary corrections to the printed name and mailing address.)

A. PROPERTY

ASSESSOR'S PARCEL NUMBER		
PROPERTY ADDRESS	CITY	
RECORDER'S DOCUMENT NUMBER	DATE OF PURCHASE OR TRANSFER	
PROBATE NUMBER <i>(if applicable)</i>	DATE OF DEATH <i>(if applicable)</i>	DATE OF DECREE OF DISTRIBUTION <i>(if applicable)</i>

The disclosure of social security numbers is mandatory as required by Revenue and Taxation Code section 63.1. [See Title 42 United States Code, section 405(c)(2)(C)(i) which authorizes the use of social security numbers for identification purposes in the administration of any tax.] A foreign national who cannot obtain a social security number may provide a tax identification number issued by the Internal Revenue Service. The numbers are used by the Assessor and the state to monitor the exclusion limit.

B. TRANSFEROR(S)/SELLER(S) *(additional transferors please complete "B" on the reverse)*

1. Print full name(s) of transferor(s) _____
2. Social security number(s) _____
3. Family relationship(s) to transferee(s) _____
If adopted, age at time of adoption _____
4. Was this property the transferor's principal residence? Yes No
If **yes**, please check which of the following exemptions was granted or was eligible to be granted on this property:
 Homeowners' Exemption Disabled Veterans' Exemption
5. Have there been other transfers that qualified for this exclusion? Yes No
If **yes**, please attach a list of all previous transfers that qualified for this exclusion. (This list should include for each property: the County, Assessor's parcel number, address, date of transfer, names of all the transferees/buyers, and family relationship. Transferor's principal residence must be identified.)
6. Was only a partial interest in the property transferred? Yes No If **yes**, percentage transferred _____ %
7. Was this property owned in joint tenancy? Yes No
8. If the transfer was through the medium of a trust, you **must** attach a copy of the trust.

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true and correct to the best of my knowledge and that I am the parent or child (or transferor's legal representative) of the transferees listed in Section C. I knowingly am granting this exclusion and will not file a claim to transfer the base year value of my principal residence under Revenue and Taxation Code section 69.5.

SIGNATURE OF TRANSFEROR OR LEGAL REPRESENTATIVE	DATE
SIGNATURE OF TRANSFEROR OR LEGAL REPRESENTATIVE	DATE
MAILING ADDRESS	DAYTIME PHONE NUMBER ()
CITY, STATE, ZIP	EMAIL ADDRESS

(Please complete applicable information on reverse side.)

THIS DOCUMENT IS NOT SUBJECT TO PUBLIC INSPECTION

C. TRANSFEREE(S)/BUYER(S) (additional transferees please complete "C" below)

1. Print full name(s) of transferee(s) _____

2. Family relationship(s) to transferor(s) _____

If adopted, age at time of adoption _____

If stepparent/stepchild relationship is involved, was parent still married to or in a registered domestic partnership (*registered means registered with the California Secretary of State*) with stepparent on the date of purchase or transfer? Yes No

If **no**, was the marriage or registered domestic partnership terminated by: Death Divorce/Termination of partnership

If terminated by death, had the surviving stepparent remarried or entered into a registered domestic partnership as of the date of purchase or transfer? Yes No

If in-law relationship is involved, was the son-in-law or daughter-in-law still married to or in a registered domestic partnership with the daughter or son on the date of purchase or transfer? Yes No

If **no**, was the marriage or registered domestic partnership terminated by: Death Divorce/Termination of partnership

If terminated by death, had the surviving son-in-law or daughter-in-law remarried or entered into a registered domestic partnership as of the date of purchase or transfer? Yes No

3. ALLOCATION OF EXCLUSION (If the full cash value of the real property transferred exceeds the one million dollar value exclusion, the transferee must specify on an attachment to this claim the amount and allocation of the exclusion that is being sought.)

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing and all information hereon, including any accompanying statements or documents, is true and correct to the best of my knowledge and that I am the parent or child (or transferee's legal representative) of the transferors listed in Section B; and that all of the transferees are eligible transferees within the meaning of section 63.1 of the Revenue and Taxation Code.

SIGNATURE OF TRANSFEREE OR LEGAL REPRESENTATIVE ▶	DATE
SIGNATURE OF TRANSFEREE OR LEGAL REPRESENTATIVE ▶	DATE
MAILING ADDRESS	DAYTIME PHONE NUMBER ()
CITY, STATE, ZIP	EMAIL ADDRESS

Note: The Assessor may contact you for additional information.

B. ADDITIONAL TRANSFEROR(S)/SELLER(S) (continued)

NAME	SOCIAL SECURITY NUMBER	SIGNATURE	RELATIONSHIP

C. ADDITIONAL TRANSFEREE(S)/BUYER(S) (continued)

NAME	RELATIONSHIP

CLAIM FOR REASSESSMENT EXCLUSION FOR TRANSFER BETWEEN PARENT AND CHILD
Revenue and Taxation Code, Section 63.1

IMPORTANT: In order to qualify for this exclusion, a claim form must be completed and signed by the transferors and a transferee and filed with the Assessor. A claim form is timely filed if it is filed within three years after the date of purchase or transfer, or prior to the transfer of the real property to a third party, whichever is earlier. If a claim form has not been filed by the date specified in the preceding sentence, it will be timely if filed within six months after the date of mailing of a notice of supplemental or escape assessment for this property. If a claim is not timely filed, the exclusion will be granted beginning with the calendar year in which you file your claim. Complete all of Sections A, B, and C and answer each question or your claim may be denied. Proof of eligibility, including a copy of the transfer document, trust, or will, may be required. **Please note:**

1. This exclusion only applies to transfers that occur on or after November 6, 1986;
2. In order to qualify, the real property must be transferred from parents to their children or children to their parents;
3. If you do not complete and return this form, it may result in this property being reassessed.
4. California law provides, with certain limitations, that a "change in ownership" does not include the purchase or transfer of:
 - The principal residence between parents and children, and/or
 - The first \$1,000,000 of other real property between parents and children.

NOTE: Effective January 1, 2009, Revenue and Taxation Code Section 63.1(j) allows a county board of supervisors to authorize a one-time processing fee of not more than \$175 to recover costs incurred by the county assessor due to the failure of an eligible transferee to file a claim for the parent-child change in ownership exclusion after two written requests have been sent to an eligible transferee by the county assessor.

Parent-Child Change in Ownership Exclusions

What Does the Exclusion do?

By applying for this exclusion, property owners may be able to avoid property tax increases when acquiring property from their parents or children.

In the State of California, real property is reassessed at market value if it is sold or transferred and property taxes can sometimes increase dramatically as a result. However, if the sale or transfer is between parents and their children, the property will not be reassessed if certain conditions are met and the proper application is filed.

Important Note: Property owners should understand that claiming this exclusion may not always be to their benefit. See "**When is it not beneficial to claim this exclusion?**" Section for an explanation of that circumstance.

What Are The General Requirements?

- A properly completed, state approved application must be filed with the Assessor as soon as possible following the transfer. An applicant may also be required to provide additional documentation to support their claim.
- The application must be filed within three (3) years of the date of transfer (which is the date of death if the transfer is the result of a death) in order to qualify for the exclusion retroactive to the date of death. Applications may be filed at any time after the three year deadline; however, those filed after the three (3) year deadline will only become effective for the Lien date in the assessment year in which they are filed and will not be retroactive to the date of transfer.
- Owners may claim the Parent-Child Exclusion on the residence of a parent or child that has been sold or transferred to them. In other words, the exclusion applies whether the transfer is from parent to child, or from child to parent. They may also claim the exclusion on other real property up to \$1,000,000 in assessed value.
- The exclusion applies to sales and transfers both from parents to their children and from children to their parents. It also applies to transfers between a trust and a parent or child. It does not apply to sales and transfers to and from partnerships, corporations, or other legal entities.
- The exclusion only applies to sales and transfers that occurred after November 6, 1986. If a transfer occurs because someone dies, the date of death is considered to be the date the property transferred.
- A child is defined as being a child by birth, marriage, or adoption. If they are a stepchild or an in-law, they must have been a stepchild or an in-law when the property sold or transferred. If the child was adopted, the adoption must have occurred before age 18.

When Is It Not Beneficial To Claim This Exclusion?

In some circumstances, claiming the Parent/Child exclusion actually may not be to an owner's benefit.

Example: If the transferred property was being assessed at its current market value under Proposition 8 at time of transfer (that is, its market value had fallen below its original Proposition 13 factored base year value), it may be beneficial for the new owner **not** to claim the exemption and instead accept a new Proposition 13 base year reassessment. By doing so in this circumstance, the reassessment can result in lower property taxes over time by locking-in the lower market value as the property's new base year value as of the date of transfer.

Otherwise, the higher original Proposition 13 base year value set for the prior owners would some day be reinstated as market conditions improve over time and at a level higher than they would be if the property had received a new Proposition 13 Base Year Value as of the date it transferred to the parent or child.

In any case, you may wish to consult with a real estate or income tax expert before claiming this exclusion.

Does the Exclusion Apply to Capital Gains or Income Taxes?

No, this exclusion is **not** related to State or Federal capital gains or inheritance tax laws and has no affect upon them.

More Questions?

If you have any questions, you may call the Property Transfer Section of the Assessor's Office at (209) 385-7631. Telephone hours are 8 a.m.. to 5 p.m., Monday through Friday. You can also visit the Assessor's Office on the 2nd floor of the County Administration Building at 2222 M Street, Merced. Our Office hours are from 8 a.m.. to 5 p.m.

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Grandparent/Grandchild Change In Ownership Exclusions

What Does The Exclusion Do?

By applying for this exclusion, property owners may be able to avoid property tax increases when acquiring property from their grandparents.

In the State of California, real property is reassessed at market value if it is sold or transferred, and property taxes can sometimes increase dramatically as a result. However, if the sale or transfer is from a grandparent to a grandchild, the property will not be reassessed if certain conditions are met and the proper application is filed.

Important Note: Property owners should understand that claiming this exclusion may not always be to their benefit. See "**When is it not beneficial to claim this exclusion?**" section for an explanation of that circumstance.

What Are The General Requirements?

- A properly completed, state approved application must be filed with the Assessor as soon as possible following the transfer. An applicant may also be required to provide additional documentation to support their claim.

- The application must be filed within three (3) years of the date of transfer (which is the date of death if the transfer is the result of a death) in order to qualify for the exclusion retroactive to the date of death. Applications may be filed at any time after the three year deadline; however, those filed after the three (3) year deadline will only become effective for the Lien date in the assessment year in which they are filed and will not be retroactive to the date of transfer.
- This exclusion applies only to transfers occurring on or after March 27, 1996. If a transfer occurs because someone dies, the date of death is considered to be the date the property transferred.
- This exclusion only applies to transfer from grandparents to grandchildren and not to transfers from grandchildren to grandparents (differs from parent/child exclusion in that respect).
- To qualify, a grandchild's own parents must either have both been deceased before the date of transfer from grandparent to grandchild, or, in the case where only the grandparent's child is deceased, the surviving in-law parent must have either been divorced or remarried before the date of transfer.
- A grandchild is defined as a "child" of the grandparent's own children "Children" is defined under the law that offers the similar parent/child exclusion which provides that a child may be a child by birth, marriage, or adoption. If they are a stepchild or an in-law, they must have been a stepchild or an in-law when the property sold or transferred. If the child was adopted, the adoption must have occurred before age 18.

When Is It Not Beneficial To Claim This Exclusion?

In some circumstances, claiming the Grandparent to Grandchild (or parent/child) exclusion actually may not be to an owner's benefit.

Example: If the transferred property was being assessed at its current market value under Proposition 8 at time of transfer (that is, its market value had fallen below the grandparent's original Proposition 13 factored base year value), it may be beneficial for the new owner **not** to claim the exemption and instead accept a new Proposition 13 base year reassessment. By doing so in this circumstance, the reassessment can result in lower property taxes over time by locking-in the lower market value as the property's new base year value as of the date of transfer.

Otherwise, the higher original Proposition 13 base year value set under the grandparent's ownership would some day be reinstated as market conditions improve over time and at a level higher than they would be if the property had received a new Proposition 13 Base Year Value as of the date transferred to the grandchild.

In any case, you may wish to consult with a real estate or income tax expert for advice before claiming this (or the Parent/Child) exclusion.

Does the Exclusion Apply to Capital Gains or Income Taxes?

No, this exclusion is **not** related to State or Federal capital gains or inheritance tax laws and has no affect upon them.

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Official Deed Forms



Select the California real property form you need from the list below.

California Quit Claim Deed Form: <http://www.deeds.com/forms/california/quit-claim-deed/>

California Warranty Deed Form: <http://www.deeds.com/forms/california/warranty-deed/>

California Special Warranty Deed Form: <http://www.deeds.com/forms/california/special-warranty-deed/>

California Grant Deed Form: <http://www.deeds.com/forms/california/grant-deed/>

California Interspousal Transfer Grant Deed: <http://www.deeds.com/forms/california/interspousal-transfer-grant-deed/>

California Grant Deed for Life Estate: <http://www.deeds.com/forms/california/grant-deed-for-life-estate/>

California Easement Deed Form: <http://www.deeds.com/forms/california/easement-deed/>

California Affidavit Death of Joint Tenant Forms: <http://www.deeds.com/forms/california/affidavit-death-of-joint-tenant/>

California Long Form Deed of Trust: <http://www.deeds.com/forms/california/long-form-deed-of-trust/>

California Short Form Deed of Trust: <http://www.deeds.com/forms/california/short-form-deed-of-trust/>

California Deed of Full Reconveyance: <http://www.deeds.com/forms/california/deed-of-full-reconveyance/>

California Substitution of Trustee and Full Reconveyance Forms:
<http://www.deeds.com/forms/california/substitution-of-trustee-and-full-reconveyance/>

California Short Form Deed of Trust with Assignments of Rents Forms:
<http://www.deeds.com/forms/california/short-form-deed-of-trust-with-assignments-of-rents/>

California Correction Deed: <http://www.deeds.com/forms/california/correction-deed/>