

UNDERWRITING BULLETIN

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NY000314

Date: June 20, 2007

To: All New York State Office Counsel, Managers and Agents

From: Harold S. Boxer, Vice President and Senior Agency Counsel

Re: TP-584 (3/07)

The 3/07 revision of the TP-584 includes an authorization by the signers to allow the title company to obtain a receipt for payment when the tax is pre paid. Without this, a written authorization of the tax payer is required.

Attached is notice N-07-13 from the Department of Taxation and Finance.

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Please email SticMarketing@stewart.com to put your name on the Legal distribution lists for alerts and bulletins.

References:

Bulletins Replaced:	None
Related Bulletins:	NY000120, NY000131, NY000160, NY172, NY000211, NY000224, NY000225, NY000240, NY000288, NY000304, NY000306, NY000307
Underwriting Manual:	None
Exceptions Manual:	None
Forms:	None
Attachments:	One

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**Written Authorization Required for Release of Received Copy of
Real Estate Transfer Tax Return to a Person Other than the Grantor or Grantee**

Changes have recently been implemented to help ensure the confidentiality of information provided on Form TP-584, *Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax*, and Form TP-584-REIT, *Combined Real Estate Transfer Tax Return and Credit Line Mortgage Certificate for Real Estate Investment Trust Transfers*, when submitted for filing by a person other than the grantor or grantee.

Currently, when an instrument effecting the conveyance of real property will not be recorded or will be recorded after the due date for the real estate transfer tax, Form TP-584 or TP-584-REIT, together with any tax due, must be filed directly with the Tax Department within 15 days of the conveyance. Upon request, the Tax Department issues a receipt to the person filing the form. The receipt is a copy of the filed Form TP-584 or TP-584-REIT that has been stamped *RETT Department of Taxation and Finance* and that indicates the date the return was filed and amount of real estate transfer tax paid. For the purpose of recording the instrument effecting the conveyance, the recording officer will treat this receipt in the same manner as a return filed with the recording officer. (See 20 NYCRR, section 575.14(b).)

When the person requesting the received copy is not the grantor or grantee, such as a legal professional or title insurance company representative, a written authorization signed by the grantor or grantee must be provided to the Department before the Department will issue a received copy of Form TP-584 or TP-584-REIT.

Form TP-584 and TP-584-REIT have been revised to incorporate this authorization as part of the signature certification. The authorization allows the person(s) submitting the form on behalf of the grantor or grantee to receive a copy. The print date for the amended forms is (3/07), and they are available on the Tax Department's Web site at nystax.gov, or by calling the Tax Department's Forms Control Unit at (518) 244-1911.

If you file a version of the Form TP-584 or Form TP-584-REIT with a print date prior to (3/07), a statement signed by the grantor or the grantee must be attached authorizing the Tax Department to issue a received copy to the person submitting the form on behalf of the grantor or grantee.

When requesting a received copy, please enclose a self-addressed, postage-paid return envelope.

The procedure described above only applies to copies of returns requested concurrently with the filing of real estate transfer tax returns. To request a copy of Form TP-584 or Form TP-584-REIT after the return has been filed, complete and submit Form DTF-505, *Authorization for Release of Photocopies of Tax Returns and/or Tax Information*.

If you have any questions on the above procedure, please contact us by calling 1(888) 698-2914, by fax at (518) 435-2918, or by email at *NYSMortgageandTransferTax@tax.state.ny.us*.

NOTE: An N-Notice is generally issued to announce a singular event, such as an update to a previously issued tax form or instruction, or to announce a new due date for filing returns and making payments of tax because of a natural disaster. The Department does not revise previously issued N-Notices.