2010

New York State Department of Taxation and Finance

Nonresident Real Property Estimated Income Tax Payment Form

IT-2663

For use on sale or transfer of real property by a nonresident of New York State
Tax Law — Article 22, Section 663

Submit your completed Form IT-2663 with full payment of estimated tax due, if any, to the recording officer at the time the deed is presented to be recorded. Do not mail Form IT-2663 to the Tax Department.

Do not use Form IT-2663 for the sale, transfer, or other disposition of shares of stock by a nonresident in a cooperative housing corporation. Use Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form,* instead.

For office use only

This form is valid for sales or transfers (date of conveyance) after December 31, 2009, but before January 1, 2011.

A The transferor/seller is: ☐ an individual ☐ an estate or trust

B Is the transferor/seller reporting the gain for federal income tax purposes under the installment method? Yes ☐ No ☐

If *Yes,* what is the duration of the installment agreement? ________ months ________ years

C Mark an ***X*** in the box if only a portion of the real property being sold or transferred qualifies as the principal residence of the transferor(s)/seller(s) listed below. ☐

Part 1 — Sale or transfer information *(see Form IT-2663-I,* Instructions for Form IT-2663, *for assistance)*

Transferor/seller name		Transferor/seller identification number (SSN or EIN)	
Spouse's name or name of fiduciary *(if applicable)*		Spouse's SSN	
Address of transferor/seller *(number and street; see instructions)*	City	State	ZIP code
Mailing address of transferor/seller or fiduciary *(if different)*	City	State	ZIP code

Location and description of property transferred *(include county and tax map number)*	Tax map designation			Date of conveyance
	Section	Block	Lot	– –2010

Part 2 — Estimated tax information *(Complete* Worksheet for Part 2 *on page 2 before completing this part.)*

1 Sale price *(from* Worksheet for Part 2*, line 15)*	**1.**		
2 Total gain *(from* Worksheet for Part 2*, line 17; if a loss, enter **0**)*	**2.**		
3 **Estimated tax due** *(from* Worksheet for Part 2*, line 20)*	**3.**		**00**

Part 3 — Nonpayment of estimated tax by a nonresident upon sale of real property *(see instructions)*

4 This is to certify that the transferor/seller of this property is a nonresident of New York State and is **not** required to pay estimated tax under Tax Law section 663 due to one of the following reasons:

A ☐ The sale or transfer of this property results in a loss (less than or equal to zero) for federal income tax purposes *(you must complete* Worksheet for Part 2 *on page 2 of this form)*.

B ☐ The transferor/seller is not required to recognize any gain or loss with respect to the transfer under provisions of the Internal Revenue Code (IRC) (except for section 121) *(you must complete the summary below)*.

Brief summary of the transfer *(include the section(s) of the IRC and facts supporting the claim that the recognition of the gain or loss is not required with respect to the sale or transfer):*

____

____

____

Part 4 — Signature

I, the undersigned, certify that this form including any certification and attachment(s), is to the best of my knowledge and belief, true, correct, and complete.

Signature of transferor/seller	Date	Signature of spouse *(if applicable)*	Date

Worksheet for Part 2

Use this worksheet to compute your gain or loss on the sale or transfer of the real property. The gain or loss is computed in the same manner as for federal income tax purposes. For more information, see federal Publication 523, *Selling Your Home*; Publication 544, *Sales and Other Dispositions of Assets*; and Publication 551, *Basis of Assets*. These publications are available on the Internal Revenue Service's Web site at *www.irs.gov.*

Computation of cost or other basis

5	Purchase price of property			5.	
	Increases to basis:				
6	Improvements	6.			
7	Closing costs	7.			
8	Other *(explain)*	8.			
9	Add lines 6, 7, and 8			9.	
10	Add lines 5 and 9			10.	
	Decreases to basis:				
11	Depreciation *(if applicable)*	11.			
12	Other *(explain)*	12.			
13	Add lines 11 and 12			13.	
14	Adjusted basis of property *(subtract line 13 from line 10)*			14.	

Gain or loss

15	Sale price less selling expenses *(enter here and on the front page, Part 2, line 1)*	15.	
16	Cost or adjusted basis *(from line 14 above)*	16.	
17	Total gain or loss: Subtract line 16 from line 15. If the amount is a gain (greater than zero), enter here, on the front page, Part 2, line 2, and continue with line 18. If the amount is a loss (less than or equal to zero), enter ***0*** here, on line 20 below, and on the front page, line 2. Complete Part 2, Part 3, and Form IT-2663-V on page 3.	17.	

Estimated tax due

18	Enter the gain from line 17 *(if only a portion of the gain from line 17 is subject to tax, see instructions below)*	18.	
19	New York State tax rate 8.97% (.0897)	19.	**.0897**
20	Estimated tax due *(Multiply line 18 by line 19, and round to the nearest whole dollar; enter here and on the front page, Part 2, line 3. Complete Form IT-2663-V,* Nonresident Real Property Estimated Income Tax Payment Voucher, *on page 3.)*	20.	**00**

Specific instructions for Worksheet for Part 2

Note: See Form IT-2663-I, *Instructions for Form IT-2663*, for complete instructions.

Lines 5 through 17 — Multiple transferors/sellers: Enter the total purchase price, adjustments to basis, and sale price to determine the total gain (or loss) on the real property. See *Line 18* below for allocation of the gain.

Line 18 — Enter the gain (or portion of the gain) from line 17 that will be reported on your federal income tax return for 2010.

- **If only a portion of the property is located inside New York State**, enter the gain allocated to the portion of the property located inside New York State. Attach a statement to Form IT-2663 showing how you computed the allocation.
- **If only a portion of the property qualifies as your principal residence**, enter the gain allocated to the portion of the property that did **not** qualify as your principal residence and will be reported on your federal income tax return for 2010. Attach a statement to Form IT-2663 showing how you computed the allocation.
- **If two or more persons transfer or sell the real property**, allocate the total gain on the property among the transferors/sellers in the same manner as the gain is allocated for federal income tax purposes. Attach a statement to Form IT-2663 showing each transferor's/seller's name, SSN or EIN, address, and share of the gain.
- **If the gain is being reported as an installment sale**, enter the amount of gain that you (and your spouse, if applicable) will be reporting on your 2010 federal income tax return.
- **A nonresident estate or trust** must enter the amount of the gain, without regard to any distributions, from line 17.

Line 19 — When computing tax due on the gain from the transfer or sale of the real property, you must use the tax rate equal to the highest rate of tax for the tax year as set forth in the Tax Law section 601. For tax year 2010 that rate is 8.97% (.0897).

Line 20 — This is the amount of your required estimated tax payment. Enter this amount on the front page, Part 2, line 3 and as your estimated tax payment on Form IT-2663-V on page 3. You must complete Form IT-2663-V, even if there is no payment of estimated personal income tax due.

Note: You must complete Form IT-2663-V (below), even if there is no payment of estimated personal income tax due.

This area is for county clerk use only.

Attach check or money order here.

You must attach a separate check or money order made payable to ***NYS Income Tax*** for the **full** amount of estimated personal income tax due as shown on Part 2, line 3, and Form IT-2663-V (below).

Do not detach

IT-2663-V

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Nonresident Real Property Estimated Income Tax Payment Voucher

For use on sale or transfer of real property by a nonresident

Enter date of conveyance and total payment in the boxes to the right. Print your name, social security number or employer identification number, and ***2010 IT-2663*** on your payment. Make payable to ***NYS Income Tax.***

Identification number (SSN or EIN of the estate or trust)	Mark an ***X*** in one box: ☐ Individual ☐ Estate/trust	
Individual taxpayer's full name or name of estate or trust		
Spouse's name *(if applicable)* or name and title of fiduciary	Spouse's SSN	
Individual taxpayer's street address or address of fiduciary or representative *(see instructions)*		
City, village, or post office	State	ZIP code

Date fiscal year ends
Date of conveyance

	Dollars	Cents
Total payment		.00

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