

DOCUMENTARY STAMP TAX INFORMATION

Section 201.02(1)(a), Florida Statutes, imposes a tax (commonly referred to as documentary stamp tax) on documents, such as deeds, that transfer, assign, or otherwise convey an interest in Florida real property. The tax is to be paid at the rate of \$0.70 per \$100 or fraction thereof on the total consideration.

Consideration includes, but is not limited to, the money paid or agreed to be paid; the discharge of an obligation; and the amount of any mortgage, purchase money mortgage lien, or other encumbrance, whether or not the underlying indebtedness is assumed. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed that the consideration is equal to the fair market value of the real property that is transferred or interest therein.

The attached form is to be completed and submitted with the conveyance document, but will not be recorded with the document. It is for purposes of helping to determine the correct tax amount due at the time of recording.

PENALTY FOR FAILING TO PAY THE REQUIRED TAX

A penalty is imposed (§ 201.17(2)(b), Florida Statutes), equal to 10% of any unpaid tax if the failure is for not more than 30 days, with an additional amount of 10% for each additional 30 days or fraction thereof, up to 50% of the unpaid tax. Additionally, interest shall be charged based upon the amount of tax due from the date of recording until the tax is paid (§ 201.17(2)(c), Florida Statutes).

QUESTIONS

If there are any questions concerning this form, please contact the Orange County Comptroller's Official Records Department at 407-836-5115.

If there are any questions concerning documentary stamp tax, please contact the Florida Department of Revenue at 850-488-6800 or visit their web page at www.myflorida.com/dor/



ORANGE COUNTY COMPTROLLER – OFFICIAL RECORDS

PROPERTY TRANSFER INFORMATION FORM

Note: This form will be kept confidential and used for internal purposes only. Please note that all deeds are subject to audit by the Florida Department of Revenue.

SUBMITTER INFORMATION	
Individual/Organization Name	
Phone	Email Address
PROPERTY INFORMATION	
Parcel I.D. Number or Property Address or Legal Description:	
GRANTOR	GRANTEE
Name	Name
Address	Address
Date of Sale/Transfer: _____	Was the transferred property subject to a mortgage?
Sale/Transfer/Purchase Price/Consideration:	YES <input type="checkbox"/> NO <input type="checkbox"/>
\$ _____	If yes, amount of mortgage balance at the time of the transfer?
	\$ _____
Type of document being recorded:	
<input type="checkbox"/> Contract/Agreement for Deed <input type="checkbox"/> Quit Claim Deed <input type="checkbox"/> Warranty Deed <input type="checkbox"/> Other – specify _____	
Are you paying no documentary stamp tax or only minimum documentary stamp tax (\$0.70)? YES <input type="checkbox"/>	
If yes, please check the appropriate box below indicating why.	
<input type="checkbox"/> Paid documentary stamp tax previously or in another county <input type="checkbox"/> Re-recording <input type="checkbox"/> Corrective Deed (correcting legal description, names, scrivener’s error, adding witness, etc.) <input type="checkbox"/> Marital home transferred between spouses and the only consideration is a mortgage or lien encumbering the property <input type="checkbox"/> Marital home transferred between former spouses pursuant to a divorce decree (Rule 12B-4.013(27), Florida Admin Code) <input type="checkbox"/> Property transferred to or from a trust with no beneficial ownership change (Rule 12B-4.013(28), Florida Admin Code) <input type="checkbox"/> Gift of property which is not subject to a mortgage <input type="checkbox"/> Document is exempt or all parties to the document are exempt (please explain under “Other” below) <input type="checkbox"/> Other – Specify	
OTHER COMMENTS:	
WARNING!!	
NOTE: PAYING DOCUMENTARY STAMP (“DOC STAMPS”) TAX IS NOT OPTIONAL. YOU ARE REQUIRED TO PAY DOCUMENTARY STAMP TAX UNLESS YOU HAVE A VALID EXEMPTION. THE DEPARTMENT OF REVENUE ROUTINELY REVIEWS AND AUDITS DOCUMENTS TO ENSURE THAT PROPER TAX IS PAID.	
Failure to pay the required tax may result in penalties and interest (Section 201.17(2), Florida Statutes).	
Under penalties of perjury, I declare that I have read the foregoing form and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.	
_____ Signature of Grantor or Grantee or Agent	