

STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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Frequently Asked Questions

Sales Disclosure Form Overview & Changes

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1. Are we going to be able to enter international phone numbers on the revised Sales Disclosure Form?

As provided under the file specifications for the Sales Disclosure Contact File (SALECONTAC) in 50 IAC 26-20-4(j), the character length for telephone numbers can be up to twenty (20) character. Additionally, the SALECONTAC file specifications allow for a telephone extension number that is up to ten (10) characters long. The standard format for international telephone numbers includes a maximum of fifteen (15) characters, with one (1) to three (3) numbers for the country code and no more than twelve (12) numbers for the global subscriber number. With the character length available under the file specifications, the revised Sales Disclosure Form should be able to accommodate international numbers.

2. What if we have more than two (2) buyers or sellers for a transaction?

For conveyance transactions that involve more than two (2) parties, Ind. Code § 6-1.1-5.5-3(b) specifies that it is sufficient for one (1) transferor and one (1) transferee to complete and sign the Sales Disclosure Form. If information related to the additional parties of the transaction is necessary, the assessor can note this information in Part 2, Section 15 of the revised Sales Disclosure Form.

3. Will errors generate if a preparer leaves a section blank that does not apply?

Each office should determine what information is necessary for the form to be considered complete. For the purposes of the Sales Data Submission process, there are certain fields that have been identified as "required" fields. These fields have been highlighted in the Required Sales Data Fields document that has been attached to this FAQ.

4. If old forms are submitted after January 1, 2021, are we supposed to accept or reject them?

The Department will allow a three (3) month grace period for the prior version of the Sales Disclosure Form to be accepted for those sales that have a conveyance date before January 1,

2021. Please note, though, that the deadline for county assessors to submit their 2020 sales (i.e., those sales that have a conveyance date in the range of January 1 – December 31, 2020) is still February 1, 2021. The three month grace period is intended more for the less common scenarios where there may be a lag in the sales disclosure form being filed or if there is a revised form submitted for a sale that occurred in the previous calendar year.

For all sales that have a conveyance date starting with January 1, 2021 and going forward, the sale must be submitted on the updated Sales Disclosure Form.

5. Can a Sales Disclosure Form be filed for deduction only, even if a Sales Disclosure Form is not required?

The Sales Disclosure Form should only be used as an application for the permitted deductions when there is an underlying conveyance that requires the completion of a Sales Disclosure Form. Pursuant to Ind. Code § 6-1.1-12-44, a Sales Disclosure Form can only be used as an application for the enumerated deductions if the underlying form is accurate and complete; therefore, if a Sales Disclosure Form is not required and the underlying fields are not completed, the individual would not be permitted by statute to use the Sales Disclosure Form as a deduction application.

6. Why is there no place for the Auditor's Office to stamp and confirm information on either the Agricultural & Residential Addendum or the Commercial & Industrial Addendum?

As noted in the instructions at the beginning of each form, the addenda should only be used by assessing officials to modify or note additional information about a sale that is identified after the original Sales Disclosure Form has been submitted.

7. For purposes of the Homestead Deduction application on the Sales Disclosure Form, do we collect the last 5 digits of the driver's license or the Social Security number?

Indiana Code § 6-1.1-12-37(e)(4) specifies that the applicant must provide the last five (5) digits of the applicant's Social Security number and the last five (5) digits of the applicant's spouse's Social Security number. If the applicant or the applicant's spouse does not have a Social Security number, any of the following may be provided:

- 1) The last five (5) digits of the individual's driver's license number.
- 2) The last five (5) digits of the individual's state identification card number.
- 3) The last five (5) digits of a preparer tax identification number that is obtained by the individual through the Internal Revenue Service of the United States.
- 4) If the individual does not have a driver's license, a state identification card, or an Internal Revenue Service preparer tax identification number, the last five (5) digits of a control number that is on a document issued to the individual by the United States government.

Based on feedback received during the webinar, the Department has incorporated a minor revision to the Signature portion of the Sales Disclosure Form clarifying that the last five

(5) digits of the identification number would include a Social Security number.

<p>Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5. A person who knowingly and intentionally falsifies the value of transferred real property, or omits or falsifies any information required to be provided, commits a Level 5 felony. (Note: Both spouse's information, SSN/Driver's License/ID/Other Number is necessary if a Homestead Deduction is being filed.)</p>			
Signature of Buyer 1		Signature of Buyer 2/Spouse	
Printed Legal Name of Buyer 1	Sign Date (MM/DD/YY)	Printed Legal Name of Buyer 2/Spouse	Sign Date (MM/DD/YY)
Last 5 Digits of Buyer 1 SSN/Driver's License/ID/Other Number		Last 5 Digits of Buyer 2/Spouse SSN/Driver's License/ID/Other Number	

8. Who is supposed to fill out the addenda forms? If a preparer does not fill out the appropriate addendum, do we reject the main Sales Disclosure Form?

As noted in the instructions at the beginning of each form, the addenda should only be used by assessing officials to modify or note additional information about a sale that is identified after the

9. Will the Sales Disclosure Form Instruction be updated?

Yes. The Department is currently updating the Sales Disclosure Form Instructions, and they will be made available before January 1, 2021.

10. On Page 1, Section C (10), can more than one (1) of the four (4) boxes be checked? What about parcels that are mixed use?

Yes, more than one (1) of the four (4) boxes in Section C (10) can be checked. The reorganization of the data fields for specific property types was meant to group specific items together that are unique to certain property transactions; however, the Department understands that some conveyances may include mixed use properties. For transactions that include mixed use properties, the preparer can select all property types under Section C (10) that are applicable to the conveyance.

11. Is there a reason why the Mortgage Deduction has never been added to the Sales Disclosure Form?

The Mortgage Deduction has not been added because it is not one of the enumerated deductions that a taxpayer can apply for along with a completed Sales Disclosure Form. Pursuant to Ind. Code § 6-1.1-12-44, a Sales Disclosure Form can only be used as application for the following deductions:

- 1) Ind. Code § 6-1.1-12-26 (Solar Energy Heating or Cooling System)
- 2) Ind. Code § 6-1.1-12-29 (Wind Power Device)
- 3) Ind. Code § 6-1.1-12-33 (Hydroelectric Power Device)
- 4) Ind. Code § 6-1.1-12-34 (Geothermal Energy Heating or Cooling Device)
- 5) Ind. Code § 6-1.1-12-37 (Homestead Deduction)

12. Should the Auditor's Office or the Assessor's Office determine if a Sales Disclosure

Form is required?

Since the Assessor's Office is the first point of contact for individuals submitting a Sales Disclosure Form, it would make sense for the Assessor's Office to make the initial determination for when a Sales Disclosure Form is required; however, the Department would encourage assessors and auditors to work together when making these determinations.

13. Will the information reported on either of the addenda be included with the Sales Disclosure data files?

Yes, as part of the rule making process for revising the sales disclosure form, the file specifications for the sales disclosure data files in 50 IAC 26-20-4 were also updated. Specifically, the file specifications for the commercial/industrial addendum file can be found under 50 IAC 26-20-4(l) and the file specifications for the agricultural/residential addendum file can be found under 50 IAC 26-20-4(m). When staff in the county assessor's office are uploading their sales data files to Gateway SDF, these two new data files must be included as part of the file upload process.