

SALES DISCLOSURE FORM INSTRUCTIONS

(Revised July 20, 2021)

Indiana law requires a sales disclosure form (SDF) to be reviewed for completeness by the county assessor before being forwarded to the county auditor and must be completed whenever a “conveyance document” is filed. The county auditor may not accept a conveyance if: (1) the sales disclosure form is not included with the conveyance document; or (2) the sales disclosure form is incomplete and/or is not stamped by the county assessor. A separate SDF is required for each parcel conveyed, regardless of whether more than one (1) parcel is conveyed under a single conveyance document. However, only one (1) SDF is required if there is a single conveyance document that conveys two (2) or more contiguous parcels located entirely within a single taxing district. A person filing a sales disclosure form marked only with sales conditions subject to a disclosure filing fee shall pay a fee of ten dollars (\$10.00) to the county auditor.

DEFINITIONS

CONVEYANCE – means any transfer of a real property interest for valuable consideration. (IC 6-1.1-5.5-1) A transfer of property for no consideration or rerecording a prior transaction to correct an error is NOT considered a conveyance for purposes of IC 6-1.1-5.5.

CONVEYANCE DOCUMENT – Any of the following that purports to transfer a real property interest for valuable consideration: (1) a document; (2) a deed; (3) a contract of sale; (4) an agreement; (5) a judgment; (6) a lease that includes the fee simple estate and is for a period in excess of ninety (90) years; (7) a quitclaim deed serving as a source of title; and (8) a document presented for recording that purports to transfer a real property interest for valuable consideration. The following are considered a conveyance document, but are not subject to a SDF filing fee: (1) documents for compulsory transactions as a result of foreclosure or express threat of foreclosure, divorce, court order, judgment, condemnation, or probate; (2) documents involving the partition of land between tenants in common, joint tenants, or tenants by the entirety; and (3) a transfer to a charity, not-for-profit organization, or government. (IC 6-1.1-5.5-2(a))

Filers should note that the following are NOT considered a conveyance document and do NOT require the submission of the SDF: (1) security interest documents such as mortgages or trust deeds; (2) leases that are for a term of less than ninety (90) years; (3) agreements and other documents for mergers, consolidations, and incorporations involving solely non-listed stock; (4) quitclaim deeds not serving as a source of title; and (5) public utility or governmental easements or rights of way. (IC 6-1.1-5.5-2(b))

PERSONAL PROPERTY – means items that are not attached (built-in or affixed) to the real estate (land and buildings). This might include items such as washers, dryers, window treatments, stoves and refrigerators. Other items considered personal property are boats and other vehicles, inventories (livestock, goods in process or for trade, or agricultural commodities) and machinery used in farming or manufacturing.

A. PROPERTY TRANSFERRED

A single sales disclosure form may include multiple properties as long as the parcels are contiguous and located entirely in a single taxing district. (IC 6-1.1-5.5-3(h)) All parcels, and property listed in this box, must be conveyed on a *single* conveyance document. Parcels and property on *separate* conveyance documents must be submitted on separate sales disclosure forms. If the transaction consists of more than one (1) parcel, the additional contiguous parcels must be included on Sales Disclosure Part 1(A) – State Form 55632.

1. Parcel Number or Tax Identification Number:

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B.)

State and/or local required property number(s) (including all dashes and decimals on the sales form). An identification number that is assigned to a parcel of land to identify that parcel from any other parcel within a given taxing jurisdiction. List all parcels separately using separate attachments if needed. Should the sales disclosure form be submitted prior to assignment of the State mandated 18-digit parcel number, either the parent parcel number or the name of the subdivision and the lot number as provided by the county planning department must be included.

2. Split:

Check all boxes applicable to parcel.
<input checked="" type="checkbox"/> 2. Split
<input type="checkbox"/> 3. Land
<input type="checkbox"/> 4. Improvement

Check if the parcel is split, or sectioned off, from another parcel that is included on this sales disclosure form.

3. Land:

Check all boxes applicable to parcel.	
<input type="checkbox"/>	2. Split
<input checked="" type="checkbox"/>	3. Land
<input type="checkbox"/>	4. Improvement

Check if the transfer or conveyance includes an interest in land. (IC 6-1.1-5.5-5(a)(6))

4. Improvement:

Check all boxes applicable to parcel.	
<input type="checkbox"/>	2. Split
<input type="checkbox"/>	3. Land
<input checked="" type="checkbox"/>	4. Improvement

Check if the transfer or conveyance includes an interest in buildings or structures. (IC 6-1.1-5.5-5(a)(6))

5. Complete Address of Property:

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Provide the street address or geographic location of the taxable real estate. A P.O. Box address is not acceptable.

6. Complete Tax Billing Address (if different from property address):

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Provide the owner mailing address for the owner of record. For this field, a P.O. Box is acceptable.

7. Legal Description of Parcel:

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Provide a legal description of real property by government survey, metes and bounds, or lot numbers of a recorded plat. A legal description is especially important for metes and bounds descriptions and new parcels. The legal description may be provided as an attachment to and/or uploaded with the sales disclosure form.

B. CONDITIONS

The information in this section is used to determine sales characteristics, establish market value, and determine applicability of the sale and for use in ratio or other studies. The appropriate response should be filled in for all conditions that apply to the sale.

NOTE: While indicating that certain conditions (Fields 8-10) will result in not paying a filing fee, the buyer/grantee or seller/grantor is still responsible for completing the form in full. (IC 6-1.1-5.5-4)

1. A Transfer of Real Property Interest for Valuable Consideration:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	1. A transfer of real property interest for valuable consideration.

A transfer of a real property in exchange for money, performance, or a promise of performance.

2. Buyer is an Adjacent Property Owner:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	2. Buyer is an adjacent property owner.

The buyer or transferee lives on a border of or occupies property that is next to the listed property.

3. Vacant Land (No Structures on Land):

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	3. Vacant land (No structures on land)

A parcel in which there is no improvement value.

4. Exchange for Other Real Property ("Trade"):

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	4. Exchange for other real property ("Trade") Parcel Number of traded property: _____

An exchange of property for another property, commodity, service, or item of like value. Trading does not require the use of money; however, money may be used for a portion, but not all, of the trade.

5. Land Contract:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	5. Land contract. Contract term (YYYY-YYYY): _____ Contract date (MM/DD/YYYY): _____

Contract term and Contract date: A purchase allowing the grantee possession of the property and the grantor retaining the deed to the property until the terms of the contract are met. The contract term is listed as a two-digit number.

6. Partial Interest:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	6. Partial interest. Describe: _____ _____

Individual does not have one hundred percent (100%) interest in the transferred property. Provide a description of the special circumstances.

7. Easements or Right-of-Way Grants:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	7. Easements or right-of-way grants. (Please note that: (i) public utility/governmental easements; or (ii) rights-of-way that do not transfer fee simple; do not require a sales disclosure form. See the instructions for more information.)

Under IC 6-1.1-5.5-2(b), a SDF is not required for public utility or governmental easements or rights-of-way. Easements and right-of-way grants in all other cases, however, are still considered conveyance documents under statute and must have an SDF filed if they are exchanged for valuable consideration.

8. Compulsory Transactions:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	8. Document for compulsory transactions as a result of foreclosure or express threat of foreclosure, divorce, court order, judgment, condemnation, eminent domain, or probate.

A SDF is required for compulsory transactions, including foreclosures or express threats of foreclosure, divorce orders, court orders, condemnations, or probate proceedings; however, IC 6-1.1-5.5-4 specifies that no SDF filing fee is required.

9. Land Partitions & Joint Ownership:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	9. Documents involving the partition of land between tenants in common, joint tenants, or tenants by entirety.

A SDF is required for documents involving the partition of land between tenants in common, joint tenants, or tenants by the entirety; however, IC 6-1.1-5.5-4 specifies that no SDF filing fee is required.

10. Charity & Not-for-Profit:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	10. Transfer to a charity, not-for-profit organization, or governmental entity or agency.

A SDF is required for conveyances to a charity, not-for-profit, or governmental entity or agency; however, no SDF filing fee is required.

C. TRANSACTION DETAILS

While the conveyance date and sales price of the property transfer are essential data points for assessing officials, there are additional pieces of information that may be relevant when evaluating whether the property conveyance can be included for purposes of the ratio study process.

NOTE: As provided on the SDF, only those fields that apply to the transaction must be completed; however, all Yes/No fields should be completed. If the preparer is unsure whether a Yes/No condition applies to the transaction, the preparer may select "No".

1. Sheriff Sale or Tax Sale:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	1. Sheriff Sale or Tax Sale

Was the property acquired by the transferee from a sheriff's sale or tax sale?

2. Short Sale:

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	2. Short Sale

Total number of parcels included on the conveyance document. Each should be listed separately in table A above. If there are more than two parcels involved in the transaction, additional parcel information must be included in an attachment to this form.

3. D:

YES NO CONDITION

4. D:

YES NO CONDITION

- Describe any unusual or special circumstances related to this sale, including the specification of any less-than-complete ownership interest and terms of seller financing.
- Is there a family or business relationship existing between buyer and seller? Do the buyer and seller have a mutual interest in said property? State the amount of any discount from market value.
- Provide estimated value of personal property: This should be the amount of property not permanently affixed to said parcel. Refer to number 8 in section B.
- State the price at which said property is actually sold.
- Identify if the seller is financing the sale: If the answer is yes to this question, C. Sales Data, items 7-13 must be completed.
- If seller is financing, indicate whether the buyer/borrower personally liable for loan.
- If seller is financing, identify if this is a mortgage loan.
- If seller is financing, state the amount of loan being financed by the seller.
- If seller is financing, state the interest rate shown as a percentage.
- State the amount in points, if applicable. Principal amount deducted.
- If seller is financing, state the amortization period or the time needed to repay a loan on said property.

D. PREPARER

The individual preparing the sales disclosure form is to provide full name, title, company, full address, telephone number, and email. The contact information provided is used by county officials to validate the sale and must be valid for at least 30 days following the filing of the sales disclosure form. Telephone number and email are requested in order for the assessor to validate the sale. Telephone numbers provided are retained as confidential.

E. SELLER(S)/GRANTOR(S)

Seller(s)/grantor(s) are to provide the full name, address, telephone number, and email for seller(s) or entity as applicable. The contact information provided is used by county officials to validate the sale and must be valid for at least 30 days following the filing of the sales disclosure form. If there are more than two individuals or entities involved in the

transaction, additional ownership information must be included in an attachment to this form. Telephone number and email are requested in order for the assessor to validate the sale. Telephone numbers provided are retained as confidential. Seller(s)/grantor(s) are required to sign certifying that the sales disclosure is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5.

The buyer/grantee, seller/grantor or their representatives must sign one (1) sales disclosure form, or if the parties do not agree on the information to be included on the completed form, each party must sign and file a separate form. For conveyance transactions that involve more than two (2) parties, it is sufficient for one (1) transferor and one (1) transferee to sign the SDF. If anyone other than the buyer/seller or an attorney of the buyer/seller is signing the form, a properly executed Power of Attorney must be completed and attached. A person who knowingly and intentionally falsifies value of transferred real property, or omits or falsifies any information required to be provided in the sales disclosure form commits a Class C felony.

F. BUYER(S)/GRANTEE(S) – APPLICATION FOR DEDUCTIONS AND CREDITS

Buyer(s)/grantee(s) are to provide the full name, address, telephone number, and email for buyer(s) or entity as applicable. The contact information provided is used by county officials to validate the sale and must be valid for at least 30 days following the filing of the sales disclosure form. If there are more than two individuals or entities involved in the transaction, additional ownership information must be included in an attachment to this form. Telephone number and email are requested in order for the assessor to validate the sale. Telephone numbers provided are retained as confidential. The buyer/grantee must also indicate whether the property will be used as a residential primary residence. Buyer(s)/grantee(s) are required to sign certifying that the sales disclosure is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5. The sales disclosure form may be used to apply for the homestead standard deduction for this property. Individuals filing for the homestead standard deduction must provide their full legal name (as it appears in the records of the Social Security Administration), the last 5 digits of the driver's license (or state identification) number, and last five digits of their social security number. In addition, a married individual must also provide their spouse's legal name (as it appears in the records of the Social Security Administration), last 5 digits of the driver's license (or state identification) number, and last five digits of the spouse's Social Security number. In the event that these numbers are not available, the individual may use a federal identification number such as the Permanent Resident Card ("A") number. This information is kept confidential to the extent possible under Indiana law. Failure to provide this information may result in the inability of the individual to receive the deduction.

When an individual becomes ineligible to receive a standard deduction they must notify the county auditor of the fact within 60 days of the date they first lose their eligibility. Failure to do so may result in substantial financial penalties, including the repayment of up to three years of unpaid taxes and a 10% penalty on taxes owed.

The sales disclosure form may also be used to reapply for items 4-7 below to the extent that they already exist on this property, and state form 18865, Statement For Deduction Of Assessed Valuation (Attributed To Solar Energy System / Wind, Geothermal or Hydroelectric Power Device), is on file at the county auditor. The buyer(s) must identify all that apply to the property included on the sales disclosure. In addition, these deductions may require additional certification from the Indiana Department of Environmental Management; therefore, the buyer should work with the county auditor's office to determine what is needed to receive these benefits.

1. State if this property will not be the buyer's primary residence. Provide complete address of primary residence, including the county of the residence.
2. State if the buyer has a homestead that will be vacated for this residence. If yes, provide complete address of the residence to be vacated, including the county of the residence.
3. Homestead – includes homestead standard deduction and supplemental homestead deduction. If selected the property is eligible for both the standard and supplemental deductions using the sales disclosure form.
4. Solar Energy Heating/Cooling System – state if this property has a solar energy heating/cooling system.
5. Wind Power Device – state if this property has a wind power device.
6. Hydroelectric Power Device – state if this property has a hydroelectric power device (state form 18865 must be on file).
7. Geothermal Energy Heating/Cooling Device Deductions – state if this property has a geothermal energy heating/cooling device (state form 18865 must be on file).
8. Is this property a residential rental property? Identify if this property will be used as a rental property.
9. Would you like to receive tax statements for this property via e-mail? Under HEA 1344-2009, a county may elect to offer taxpayers the option to receive property tax bills electronically. In these counties a property owner may file with either the county treasurer or county auditor to receive electronic statements. If a taxpayer elects to receive electronic statements, the choice remains in effect until the taxpayer changes e-mail addresses, or requests otherwise. Only one electronic statement can be sent per property; therefore, the person or entity exercising the option must designate a single individual to receive the statement. If an individual requests electronic statements in

a county that does not offer them, the e-mail address will be held until such time as the county chooses to adopt the option. If a taxpayer chooses to change this preference, State Form 53954 (Authorization for Receipt of Electronic Property Tax Statements) must be filed.

You may also be eligible for other credits or deductions for which separate application may be required.

The buyer/grantee, seller/grantor or their representatives must sign one (1) sales disclosure form, or if the parties do not agree on the information to be included on the completed form, each party must sign and file a separate form. For conveyance transactions that involve more than two (2) parties, it is sufficient for one (1) transferor and one (1) transferee to sign the SDF. If anyone other than the buyer/seller or an attorney of the buyer/seller is signing the form, a properly executed Power of Attorney must be completed and attached. A person who knowingly and intentionally falsifies value of transferred real property, or omits or falsifies any information required to be provided in the sales disclosure form commits a Class C felony.

PART 2 – COUNTY ASSESSOR

The county assessor must verify and complete items 1 through 14 and stamp the sales disclosure form before sending to the auditor. The county assessor is responsible for verifying the following information specific to each parcel included in the sales disclosure form:

1. Parcel ID. The parcel ID for the parcels covered on the sales disclosure form must be verified as correct and valid.
2. AV Land. The most recent assessed value of the land for each parcel.
3. AV Improvement. The most recent assessed value of improvement(s) for each parcel.
4. Value of Personal Property. The most recent assessed value of the personal property identified for this parcel, or an estimated value for the personal property identified as determined by the county assessor.
5. AV Total. The most recent total assessed value for each parcel.
6. Property Class Code. The property class code maintained within the computer assisted mass appraisal system.
7. Neighborhood Code. The neighborhood code maintained within the computer assisted mass appraisal system.
8. Valid state assigned tax district.
9. Acreage. Lot sizes must be converted to numeric acreage.

Additionally the following information must be provided for the sales disclosure form:

10. Identify physical changes to property between March 1 and date of sale. The county assessor is responsible for determining whether or not significant physical changes have been made to the property between March 1 and the date of sale (conveyance date).
11. Is form completed? The county assessor has verified form has been properly completed.
12. Sales fee required? The county assessor should indicate if county auditor should collect a sales disclosure filing fee. The sales disclosure fee is not required for table B items 13-15.
13. Date of sale. The county assessor indicates date of sale (the conveyance date) for use in statistical analysis and ratio study calculations.
14. Date form received. Date county assessor received sales disclosure form.

Items 15 through 18 are to be completed by the county assessor **when validating this sale**. Processing the form to the auditor is not contingent on validation of the sale.

15. If applicable, identify any additional special circumstances relating to validation of sale.
16. County assessor indicates if the sale is valid for use in trending.
17. County assessor indicates the sale validation process is complete.
18. Signature or initials of individual validating the sale.

The county assessor and/or other assessing officials are responsible for verifying the sale as well. Verification of sales disclosure date is required prior to submitting sales data to the DLGF. To streamline and expedite the verification of a sale, it is strongly recommended that the county assessor verify each sale within 30 days of receipt of the SDF, as the assessor may find that the buyer and/or seller may not be located at the address provided on the form.

Sales disclosure forms provided in response to public records requests may not include telephone numbers.

PART 3 – COUNTY AUDITOR

The county auditor is responsible for correctly collecting the filing fee for all non-exempt sales transactions as well as ensuring that all parties to the conveyance have completed and signed the form as required. The county auditor may not accept the sales disclosure statement if (1) the buyer or seller fails to completely fill out their designated portions of the form; (2) the sales disclosure form is not included with the conveyance document; or (3) the sales disclosure form is incomplete and/or is not stamped by the county assessor. If the buyer or seller fails to completely fill out their designated portion of the form, the county auditor may not accept the conveyance document. The county auditor must also confirm the date the property was duly entered for transfer.

1. Disclosure fee amount collected: Enter the amount of the disclosure fee collected by the county auditor.
2. Other local fee: Enter the amount of other local fees collected for the transfer of the property. This amount should not include the sales disclosure fee as required by the state.
3. Total fee collected: Enter the total amount of the fee collected for this transaction. The amount should equal the sum of part 3 item 1 plus part 3 item 2.
4. Auditor receipt book number: Identify the receipt book number used for collection of the disclosure fee.
5. Date of transfer: Enter date entered in transfer book.
6. Is form completed? Check yes if the form is completed except for PART 2 - COUNTY ASSESSOR, Items 15-18, which may not be completed prior to submission to the auditor.
7. Is fee collected? Check yes if a sales disclosure fee has been collected for this sales disclosure form.
8. Attachments complete? Check yes if the attachments required to support this sales disclosure form have been provided and are complete. If there are no attachments, check yes.

The county auditor shall review each sales disclosure form and process any homestead credit or any of the deductions for which the SDF serves as an application under IC 6-1.1-12-44 [solar energy heating/cooling system, wind power device, hydroelectric power device, geothermal energy heating/cooling device deductions] and IC 6-1.1-20.9-3.5 [homestead credit and standard deduction].

Sales disclosure forms provided in response to public records requests may not include telephone numbers.