



Withholding Tax Remittance Return

For Onerous Transfer of Real Property Other than Capital Asset (Including Taxable and Exempt)

Fill in all applicable spaces. Mark all appropriate boxes with an 'X'.

| | | | |
|------------------------------------|--|--------------------------|--|
| 1 Date of Transaction (MM/DD/YYYY) | 2 Amended Return? <input type="checkbox"/> Yes <input type="checkbox"/> No | 3 No. of Sheets Attached | 4 Any Taxes Withheld? <input type="checkbox"/> Yes <input type="checkbox"/> No |
|------------------------------------|--|--------------------------|--|

Part I Background Information

| | | | |
|--|---|---|------------|
| 5 TIN Buyer | 6 RDO Code | 7 TIN Seller | 8 RDO Code |
| 9 Buyer's Name (Last, First, Middle Name for Individual)/(Registered Name for Non-Individual) | | 10 Seller's Name (Last, First, Middle Name for Individual)/(Registered Name for Non-Individual) | |
| 11 Buyer's Registered Address | | 12 Seller's Registered Address | |
| 13 A TC <input type="checkbox"/> WI 155 <input type="checkbox"/> Individual <input type="checkbox"/> WC 155 <input type="checkbox"/> Corporation | 14 Category of Withholding Agent <input type="checkbox"/> Private <input type="checkbox"/> Government | | |

15 Classification of Property
 Residential Commercial Condominium Residential Others (specify) _____
 Agricultural Industrial Condominium Commercial

16 Location of the Property _____

17 Brief Description of the Property Area Sold (sq.m.) Tax Dec. No. _____
 TCT/OCT/CCT No. _____ Others _____

18 Does the selling price cover more than one property? Yes No
 19 Are you availing of tax relief under an International Tax Treaty or Special Law? Yes No
 If yes, specify _____

20 Description of Transaction (Mark one box only)
 Cash Sale Exempt Installment Sale Foreclosure Sale Others
 If Exempt, or Others, specify _____

21 Selling Price
 22 Cost and Other Expenses
 23 Mortgage Assumed
 24 Total Payments during the Initial Year
 25 Amount of Installment this Month
 26 Total No. of Installments in the Contract

27 Fair Market Value (FMV) - Valuation at the time of the Contract

| | |
|---|--|
| 27A <input type="checkbox"/> FMV of Land per latest Tax Declaration | 27C <input type="checkbox"/> FMV of Land as determined by BIR Commissioner (zonal value) |
| 27B <input type="checkbox"/> FMV of Improvements per latest Tax Declaration | 27D <input type="checkbox"/> FMV of Improvements as determined by BIR Commissioner (BIR Rules) |

28 Determination of Taxable Base

| | |
|--|--|
| 28A <input type="checkbox"/> Gross Selling Price | 28D <input type="checkbox"/> Installment Collected (For Installment Sale excluding interest) |
| 28B <input type="checkbox"/> Fair Market Value of Land and Improvement (Sum of 27A & 27B/ 27C & 27D/ 27B & 27C/27A & 27D, whichever is higher) | 28E <input type="checkbox"/> Others (Specify) |
| 28C <input type="checkbox"/> Bid Price (For Foreclosure Sale) | COMPUTATION |

29 Is the seller habitually engaged in real estate business? Yes No

Part II Computation of Tax

| | | | | |
|---|--|--------------------------------|--|-----------------------------------|
| 30 Taxable Base (Item 28A or 28B, whichever is higher, for cash sale, or Item 28C, or 28D, or 28E, whichever is applicable) | 31 Tax Rate | 32 Tax Required to be Withheld | 33 Less: Tax Paid in Return Previously Filed, if this is an Amended Return | 34 Tax Still Due/(Overremittance) |
| 35 Add: Penalties Surcharge Interest Compromise | 35A | 35B | 35C | 35D |
| 36 Total Amount Still Due/(Overremittance) (Sum of Items 34 & 35D) | If overremittance, mark one box only: <input type="checkbox"/> To be Refunded <input type="checkbox"/> To be issued a Tax Credit Certificate | | | |

I declare, under the penalties of perjury, that this return has been made in good faith, verified by me, and to the best of my knowledge and belief, is true and correct, pursuant to the provisions of the National Internal Revenue Code, as amended, and the regulations issued under authority thereof.

37 _____ Taxpayer/Authorized Agent Signature over Printed Name
 38 _____ Title/Position of Signatory

Stamp of Receiving Office and Date of Receipt

Part III Details of Payment

| Particulars | Drawee Bank/ Agency | Number | Date | | | Amount |
|-------------------------|---------------------|--------|------|----|------|--------|
| | | | MM | DD | YYYY | |
| 39 Cash/Bank Debit Memo | | | | | | 39 |
| 40 Check | 40A | 40B | 40C | | | 40D |
| 41 Others | 41A | 41B | 41C | | | 41D |

Machine Validation/Revenue Official Receipt Details (If not filed with the bank)

BIR Form No. 1606

| TAX RATES | | TRANSACTION |
|---|----|---|
| FOR TRANSACTIONS INVOLVING REAL PROPERTY | | |
| 0% | a) | Registered with and certified by the Housing and Land Use Regulatory Board (HLURB) or HUDCC as engaged in socialized housing projects pursuant to RA 7279 & its implementing regulations. The selling price of the house and lot or only the lot does not exceed P 180,000 in Metro Manila and other highly urbanized area or P 150,000 in other areas or on the adjusted amount of selling price for Socialized Housing as maybe determined later by the HLURB. |
| 1.5% | b) | Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is not over P 500,000. |
| 3% | c) | Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is over P 500,000 but not over P 2,000,000. |
| 5% | d) | Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is over P 2,000,000.00 |
| 7.5% | e) | Seller / transferor is not habitually engaged in real estate business. |

**BIR FORM 1606 -Withholding Tax Remittance Return
[For Onerous Transfer of Real Property Other Than Capital Asset
- Including Taxable and Exempt]
Guidelines and Instructions**

Who Shall File

This return shall be filed in triplicate by every Withholding Agent/Buyer on the sale, transfer or exchange of real property classified as ordinary asset. One return should be filed for every property (including portion of a property) purchased.

The term **“Ordinary Asset”** shall mean property held by the taxpayer other than capital asset including stock in trade, or other property of a kind which would properly be included in the inventory if on hand at the close of the taxable year, or property held primarily for sale to customers in the ordinary course of trade or business, or property used in trade or business of a character which is subject to the allowance for depreciation, or real property used in trade or business.

When and Where to File

The return shall be filed on or before the tenth (10th) day following the end of the month in which the transaction occurred. Provided, however, that taxes withheld in December shall be filed on or before January 25 of the following year. Provided, that large taxpayers as determined by the Commissioner shall file on or before the 25th day of the following month.

The return shall be filed with any Authorized Agent Bank (AAB) of the Revenue District Office (RDO) having jurisdiction over the place where the property being transferred is located. In places where there are no Authorized Agent Banks (AABs), the return shall be filed with the Revenue Collection Officer or duly Authorized City or Municipal Treasurer of the Revenue District Office having jurisdiction over the place where the property being transferred is located.

When and Where to Remit

Upon filing of this return, the total amount to be remitted shall be paid to the Authorized Agent Bank (AAB) where the return is filed. In places where there are no Authorized Agent Banks (AABs), payment shall be made directly to Revenue Collection Officer or the duly Authorized City or Municipal Treasurer who shall issue Revenue Official Receipt (BIR Form No. 2524) therefor.

Where the return is filed with an AAB, the lower portion of the return must be properly machine-validated and stamped by the Authorized Agent Bank to serve as the receipt of payment. The machine validation shall reflect the date of payment, amount paid and transaction code and the stamp mark shall show the name of the bank, branch code, teller's code and teller's initial. The AAB shall also issue an official receipt or bank debit advice or credit document, whichever is applicable, as additional proof of payment.

Penalties

- There shall be imposed and collected as part of the tax:
- A surcharge of twenty five percent (25%) for each of the following violations:
 - Failure to file any return and pay the amount of tax or installment due on or before the due date;
 - Unless otherwise authorized by the Commissioner, filing a return with a person or office other than those with whom it is required to be filed;
 - Failure to pay the full or part of the amount of tax shown on the return, or the full amount of tax due for which no return is required to be filed on or before the due date;
 - Failure to pay the deficiency tax within the time prescribed for its payment in the notice of assessment.
 - A surcharge of fifty percent (50%) of the tax or of the deficiency tax, in case any payment has been made on the basis of such return before the discovery of the falsity or fraud, for each of the following violations:
 - Willful neglect to file the return within the period prescribed by the Code or by rules and regulations; or
 - In case a false or fraudulent return is willfully made.
 - Interest at the rate of twenty percent (20%) per annum, or such higher rate as may be prescribed by rules and regulations, on any unpaid amount of tax, from the date prescribed for the payment until the amount is fully paid.
 - Compromise penalty.

Attachments Required

- A copy of Notarized Deed of Sale or Exchange;
- Photocopy of the Transfer Certificate of Title (TCT)/ or Original Certificate of Title (OCT)/ or Condominium Certificate of Title (CCT);
- Certified True Copy of the latest Tax Declaration (lot and/or improvement);
- If what is sold is lot only, a certification from the Assessor's Office that there is no existing improvement on the lot being sold/transferred;
- Copy of BIR Ruling for tax exemption confirmed by the BIR, if applicable;
- Proof of registration with HLURB or HUDCC, if applicable;
- For amended return, proof of tax payment and the previously filed return.

These requirements must be submitted upon field or office audit of the tax case before the Tax Clearance Certificate/Certificate Authorizing Registration can be released to the taxpayer.

Note: All background information must be properly filled up.

- Box No. 1 refers to the transaction period and not the date of filing this return.
- The last 3 digits of the 12-digit TIN refers to the branch code.
- TIN = Taxpayer Identification Number.
- Onerous Transfer means transfer for value.

ENCS

NOTES:

- a.) Computation of tax and explanations thereto are based on the items/numbers provided in the above mentioned form
- b.) Items 5 to 29 refer to the background information of the buyer and seller
- c.) After accomplishing the said BIR Form, attach the required documents as reflected at the back of the form

Part II Computation of Tax

- 30. For Item 30 determine the taxable base based on Items 27 (27A - 27D) and 28 (28A - 28E).
- 31. Indicate the Tax Rate on Item 31 applicable to the transaction, as follows:

| TAX RATE | TRANSACTIONS INVOLVING REAL PROPERTY |
|----------|--|
| 0% | a. Registered with and certified by the Housing and Land Use Regulatory Board (HLURB) or HUDCC as engaged in socialized housing projects pursuant to RA7279 and its implementing regulations; |
| 1.5% | b. Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing Projects under RA 7279; |
| 3% | c. Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business. The selling price thereof is over P500,000 but not over P2,000,000. |
| 5% | d. Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is over P2,000,000. |
| | Note: A seller / transferor must show proof of considered as habitually engaged in the real estate business |
| 7.5% | e. Seller/transferor is not habitually engaged in real estate business. |

- 32. To get the Total Tax Required to be Withheld, multiply the taxable base (Item 30) with the tax rate (Item 31) and then proceed to Item 34.
- 33. For an amended return, deduct the tax paid in return previously filed and the proof of tax payment (official receipt issued by the bank).

34. Additional penalties shall be imposed on the following cases: A surcharge of twenty-five (25%) for each of the following violations:

- a) Failure to file any return and pay the amount of tax or installment due on or before the due date;
 - b) Unless otherwise authorized by the Commissioner, filing a return with a person or office other than those with whom it is required to be filed;
 - c) Failure to pay the full or part of the amount of tax shown on the return, or the full amount of tax due for which no return is required to be filed on or before the due date;
 - d) Failure to pay deficiency tax within the time prescribed for its payment in the notice of assessment.
- A surcharge of fifty percent (50%) of tax or of the deficiency, in case any payment has been made on the basis of such return before the discovery of the falsity or fraud, for each of the following violations;
- a) Willful neglect to file a return within the period prescribed by the Code or by rules and regulations; or
 - b) In case a false or fraudulent return is willfully made.

35 A Surcharge

Interest: Interest at the rate of twenty percent (20%) per annum, or such higher rate as may be prescribed by rules and regulations (RMO 1-90) on any unpaid amount of tax, from the date prescribed for the payment until the amount is fully paid.

35 B Interest

Comprise: Compromise penalty is base on schedule rate of RMO 1-90

35 C Compromise

35D. Add: Penalties (35A) + Interest (35B) + Compromise (35C) to get the Total Amount of Penalties and place in 35D

35. To get the Total Amount Still Due / (Overremittance) add items 34 and 35D.

Note: If there is an overremittance, mark the appropriate box if it is to be refunded or if it is to be issued a Tax Credit Certificate (TCC).