

9-17-84

1 Department of Revenue

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3 Property Equalization Division

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5 Adopted Rules Relating to Certificate of Real Estate Value

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7 Rules as Adopted

8 8110.0100 MANDATORY INFORMATION.

9 In order to be accepted for filing a certificate of real
10 estate value must contain the following data:

11 A. Buyer's name and address.

12 B. Seller's name and address.

13 C. Legal description of all parcels involved in the
14 transaction. The property identification number assigned by the
15 county for administration of the property tax system is not
16 sufficient.

17 D. Location of property described such as street
18 address.

19 E. A statement signed by the buyer that the
20 information provided on the certificate is correct and complete
21 under penalty of the law. "Buyer" for the purpose of this rule
22 means the individual or one of the individuals who will get
23 title to the property, or a partner if a partnership will get
24 title, or an officer if a corporation will get title.

25 "Buyer" may also include an attorney or agent of the buyer.

26 ~~The form must also require the telephone number of the
27 buyer or the buyer's agent or attorney.~~

28 F. The buyer's telephone number at home or work. If
29 the buyer has no current telephone number, but has an agent or
30 attorney, the telephone number of his agent or attorney may be
31 used. If the buyer has no current telephone number and no agent
32 or attorney, no telephone number is required.

33 8110.0200 ADDITIONAL INFORMATION REQUIRED.

34 Subpart 1. Type of transfer. The certificate of value
35 must include data regarding the type of purchase or transfer and

1 must require the buyer to indicate if:

2 A. the buyer and seller are natural persons related
3 to each other or are related business operations;

4 B. the transfer or purchase was of a partial interest
5 in the property;

6 C. the property was transferred as part of a trade of
7 properties;

8 D. the property was transferred or conveyed to a
9 government, school, church, or charitable organization;

10 E. the transfer or conveyance was intended only to
11 add or remove a co-owner's name from the title of the property;

12 F. the property was transferred or conveyed as part
13 of a forced sale such as foreclosure or condemnation;

14 G. the transfer was a result of a gift or
15 inheritance; or

16 H. the property was transferred or conveyed in
17 fulfillment of a contract for deed or other purchase price
18 agreement dated more than two years before the transfer.

19 Subp. 2. Type of property; financing. If none of the
20 variables in subpart 1 apply, the buyer must provide the data
21 required by items A to H.

22 A. Type of property transferred or conveyed, such
23 as: land only; land with buildings; buildings only; and
24 information relating to any new construction, demolition, or
25 additions to buildings which occurred between January 1 of the
26 year of sale and date of the original agreement.

27 B. Principal intended use of the property:

28 (1) residential containing no more than three
29 units;

30 (2) apartments containing four or more units;

31 (3) seasonal, recreational property with a
32 residential unit but not used for commercial purposes;

33 (4) agricultural;

34 (5) commercial or industrial;

35 (6) other than uses listed above with a brief
36 description of intended use.

1 C. Date of original agreement establishing the sales
2 price of the property being transferred. Usually this will be
3 the date of the earnest money agreement or other similar
4 agreement requiring performance at an agreed price.

5 D. Total purchase price of all real, personal, or
6 intangible property being transferred or conveyed as established
7 by the original agreement.

8 E. Total down payment paid by buyer to include
9 amounts paid prior to and at the time of closing.

10 F. Information regarding any pre-existing financing
11 for which the buyer will assume responsibility from the seller
12 for repayment of the debt:

13 (1) unpaid balance on contract for deed,
14 mortgage, and/or other financing assumed;

15 (2) current interest rate on assumed balance;

16 (3) remaining period over which the assumed loan
17 balance is to be amortized;

18 (4) amount of monthly payment for reduction of
19 principal and interest;

20 (5) if scheduled payments are not on a monthly
21 basis, a description of the payment schedule including frequency
22 and amount of each payment;

23 (6) if the interest rate is subject to change
24 during the repayment period, a description of the anticipated
25 change;

26 (7) date of any lump sum payments required at or
27 before the end of the amortization period.

28 If the buyer is assuming the seller's obligation to repay
29 on more than one debt, the certificate must include full details
30 on each debt.

31 G. Information regarding any new loans obtained by
32 the buyer, including:

33 (1) principal amount being financed;

34 (2) interest rate;

35 (3) amortization period;

36 (4) amount of monthly payment for reduction of

1 principal and interest;

2 (5) if scheduled payments are not on a monthly
3 basis, a description of the payment schedule including frequency
4 and amount of each payment;

5 (6) if the interest rate is subject to change
6 during the repayment period, a description of the anticipated
7 change;

8 (7) points paid and whether paid by the seller or
9 the buyer (but not to include origination fees); and

10 (8) date of any lump sum payments required at or
11 before the end of the amortization period.

12 If the buyer is financing the purchase of the property
13 through more than one debt, full details will be required on
14 each debt.

15 H. Value of all personal or intangible property
16 included in total sales price such as:

17 (1) personal property such as stoves,
18 refrigerators, other appliances, drapes, tools, and accessories,
19 as part of the transfer of residential property;

20 (2) personal property such as crops, livestock,
21 tools, machinery, equipment as part of the transfer, or
22 agricultural property;

23 (3) personal property such as inventory,
24 equipment, or fixtures as part of the transfer of commercial
25 property;

26 (4) intangible property such as goodwill,
27 licenses, franchises, patents, or business name, as part of the
28 transfer of a business operation.

29 8110.0300 SUPPLEMENTAL DOCUMENTS.

30 The buyer when completing the certificate may attach
31 supplemental documents if the buyer needs to expand on any of
32 the requested data. For example, in the case of a lengthy legal
33 description of the property being transferred or conveyed, a
34 copy of the deed may be attached. Any supplemental documents
35 accompanying the certificate ~~should~~ must be attached to the
36 Department of Revenue's copy of the certificate.

1 8110.0400 COMMISSIONER'S-AUDIT.

2 ~~The certificates of value are subject to audit by the~~
3 ~~commissioner.--The commissioner shall require additional~~
4 ~~documentation from the buyer, the buyer's agent or attorney, or~~
5 ~~the seller in order to verify the accuracy of any information~~
6 ~~required on the certificate.--The commissioner shall determine~~
7 ~~the certificates subject to audit.~~

8 8110.0500 FORM TO BE COMPLETE AND SIGNED.

9 The county auditor shall not accept a certificate for
10 filing unless the form is complete and contains the buyer's
11 signature.

12 The county auditor shall accept for filing any certificate
13 which contains only the data required by part 8110.0100 if the
14 certificate shows that one of the types of transfers listed in
15 part 8110.0200, subpart 1 is involved. If the type of transfer
16 involved is not listed in part 8110.0200, subpart 1, the county
17 auditor shall not accept the certificate unless the data
18 required by part 8110.0200, subpart 2 is included on the form.
19 If the form is complete, the county auditor shall accept the
20 certificate and has no responsibility for the accuracy for the
21 data provided.