

Department of Taxation and Finance

**Nonresident Real Property**

**Estimated Income Tax Payment Form**

For use on sale or transfer of real property by a nonresident of New York State Tax Law **–** Article 22, Section 663

**This form is valid for sales or transfers (date of conveyance) after December 31, 2020, but before January 1, 2022.**

**A B**

The transferor/seller is:

an individual

an estate or trust

Is the transferor/seller reporting the gain for federal income tax purposes under the installment method?

Yes

No

If *Yes,* what is the duration of the installment agreement? months years

Mark an ***X*** in the box if only a portion of the real property being sold or transferred qualifies as the principal residence of the transferor(s)/seller(s) listed below.

**C**

**Part 1 – Sale or transfer information** *(see Form IT-2663-I*, Instructions for Form IT-2663, *for assistance)*

**Part 2 – Estimated tax information** *(Complete* Worksheet for Part 2 *on page 2 before completing this part.)*

**Part 3 – Nonpayment of estimated tax by a nonresident upon sale of real property** *(see instructions)*

**4** This is to certify that the transferor/seller of this property is a nonresident of New York State and is **not** required to pay estimated tax under Tax Law section 663 due to one of the following reasons:

**A** The sale or transfer of this property results in a loss (less than or equal to zero) for federal income tax purposes *(you must complete* Worksheet for Part 2 *on page 2 of this form)*.

**B** The transferor/seller is not required to recognize any gain or loss with respect to the transfer under provisions of the Internal Revenue Code (IRC) (except for section 121) *(you must complete the summary below)*.

**Part 4 – Signature**

I, the undersigned, certify that this form including any certification and attachment(s), is to the best of my knowledge and belief, true, correct, and complete.

Signature of transferor/seller

Date

Signature of spouse *(if applicable)*

Date

**Brief summary of the transfer** *(include the section(s) of the IRC and facts supporting the claim that the recognition of the gain or loss is not required with respect to the sale or transfer):*

**1** Sale price *(from* Worksheet for Part 2*, line 15)* .................................................................................................

**2** Total gain *(from* Worksheet for Part 2*, line 17; if a loss, enter* ***0****)* .........................................................................

**3 Estimated tax due** *(from* Worksheet for Part 2*, line 20)* ..................................................................................

**1.**

**2.**

**3.**

**00**

Transferor/seller name

Transferor/seller identification number *(SSN or EIN)*

Spouse’s name or name of fiduciary *(if applicable)*

Spouse’s SSN

Address of transferor/seller *(number and street; see instructions)*

City

State

ZIP code

Mailing address of transferor/seller or fiduciary *(if different)*

City

State

ZIP code

Location and description of property transferred *(include county and tax map number)*

Tax map designation

Date of conveyance

– – 2021

Section

Block

Lot

Submit your completed Form IT-2663 with full payment of estimated tax due, if any, to the recording officer

at the time the deed is presented to be recorded. Do not mail Form IT-2663 to the Tax Department.

Do not use Form IT-2663 for the sale, transfer, or other disposition of shares of stock by a nonresident in a cooperative housing corporation. Use Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form,* instead.

*For office use only*

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**Worksheet for Part 2**

Use this worksheet to compute your gain or loss on the sale or transfer of the real property. The gain or loss is computed in the same manner as for federal income tax purposes. For more information, see federal Publication 523, *Selling Your*

*Home*; Publication 544, *Sales and Other Dispositions of Assets*;

and Publication 551, *Basis of Assets*. These publications are available on the Internal Revenue Service’s website at [*www.irs.gov.*](http://www.irs.gov/)

**Computation of cost or other basis**

**Gain or loss**

**Estimated tax due**

**Specific instructions for Worksheet for Part 2**

transferors/sellers in the same manner as the gain is allocated

for federal income tax purposes. Attach a statement to

Form IT-2663 showing each transferor’s/seller’s name, SSN or

EIN, address, and share of the gain.

* **If the gain is being reported as an installment sale**, enter the amount of gain that you (and your spouse, if applicable) will be reporting on your 2021 federal income tax return.
* **A nonresident estate or trust** must enter the amount of the

gain, without regard to any distributions, from line 17.

**Line 19 –** When computing tax due on the gain from the transfer or sale of the real property, you must use the tax rate equal to the highest rate of tax for the tax year as set forth in the Tax Law section 601. For tax year 2021 that rate is 10.90% (.1090).

**Line 20 –** This is the amount of your required estimated tax payment. Enter this amount on the front page, Part 2, line 3 and as your estimated tax payment on Form IT-2663-V on page 3. You must complete Form IT-2663-V, even if there is no payment of estimated personal income tax due.

**Note:** See Form IT-2663-I, *Instructions for Form IT-2663*, for

complete instructions.

**Lines 5 through 17 – Multiple transferors/sellers:** Enter the total purchase price, adjustments to basis, and sale price to determine the total gain (or loss) on the real property. See *Line 18* below for allocation of the gain.

**Line 18 –** Enter the gain (or portion of the gain) from line 17 that will be reported on your federal income tax return for 2021.

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**If only a portion of the property is located inside New York State**, enter the gain allocated to the portion of the property located inside New York State. Attach a statement to Form IT-2663 showing how you computed the allocation.

**If only a portion of the property qualifies as your principal residence**, enter the gain allocated to the portion of the property that did **not** qualify as your principal residence

and will be reported on your federal income tax return for 2021. Attach a statement to Form IT-2663 showing how you computed the allocation.

**If two or more persons transfer or sell the real property**, allocate the total gain on the property among the

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**18** Enter the gain from line 17 *(if only a portion of the gain from line 17 is subject to tax, see instructions below)* ......

**19** New York State tax rate 10.90% (.1090) ....................................................................................................

**20** Estimated tax due *(Multiply line 18 by line 19, and round to the nearest whole dollar; enter here and on the front page, Part 2, line 3. Complete Form IT-2663-V,* Nonresident Real Property Estimated Income Tax Payment Voucher, *on page 3.)*

**18.**

**19.**

**.1090**

**20.**

**00**

**15** Sale price less selling expenses *(enter here and on the front page, Part 2, line 1)* ...........................................

**16** Cost or adjusted basis *(from line 14 above)* ..................................................................................................

**17** Total gain or loss: Subtract line 16 from line 15. If the amount is a gain (greater than zero), enter here, on the front page, Part 2, line 2, and continue with line 18. If the amount is a loss (less than or equal to zero), enter ***0***

here, on line 20 below, and on the front page, line 2. Complete Part 2, Part 3, and Form IT-2663-V on page 3. ...

**15.**

**16.**

**17.**

**5** Purchase price of property ................................................................................................................

**5.**

**Increases to basis:**

**6** Improvements ..............................................................................

**7** Closing costs ...............................................................................

**8** Other *(explain)*

**6.**

**7.**

**8.**

**9** Add lines 6, 7, and 8 .........................................................................................................................

**10** Add lines 5 and 9 ..............................................................................................................................

**9.**

**10.**

**Decreases to basis:**

**11** Depreciation *(if applicable)* .............................................................

**12** Other *(explain)*

**11.**

**12.**

**13** Add lines 11 and 12 ..........................................................................................................................

**14** Adjusted basis of property *(subtract line 13 from line 10)* ......................................................................

**13.**

**14.**

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**Note:** You must complete Form IT-2663-V (below), even if there is no payment of estimated personal income tax due.

***This area is for county clerk use only.***

**Attach check or money order here.**

You must attach a separate check or money order made payable in U.S. funds to ***NYS Income Tax*** for the **full** amount of estimated personal income tax due as shown on Part 2, line 3, and

Form IT-2663-V (below).

**Do not detach**

**IT-2663-V**

Department of Taxation and Finance

**Nonresident Real Property Estimated Income Tax Payment Voucher**

For use on sale or transfer of real property by a nonresident

Enter date of conveyance and total payment in the boxes to the right. Print your name, the last four digits of your Social Security number or employer identification number, and ***2021 IT-2663-V*** on your payment. Make payable to ***NYS Income Tax****.*

Dollars

Cents

Total payment

0431210094

**00**

Identification number (SSN or EIN of the estate or trust)

Mark an *X* in one box:

Individual Estate/trust

**Individual taxpayer’s** full name or name of estate or trust

Spouse’s name *(if applicable)* or name and title of fiduciary

Spouse’s SSN

Individual taxpayer’s street address or address of fiduciary or representative *(see instructions)*

City, village, or post office

State

ZIP code

Date fiscal year ends

Date of conveyance