

### Governmental Leasehold Intangible Personal Property Tax Return For Year:

Rule 12C-2.0115 Florida Administrative Code Effective 01/14

FEIN SSN (if no FEIN) Business Partner # Contract Object #



Mail return and check payable to: FLORIDA DEPARTMENT OF REVENUE 5050 W TENNESSEE ST TALLAHASSEE FL 32399-0100

The Florida Legislature has provided that all leasehold estates, or any possessory interest created thereby, in property of the United States, the State of Florida, or any of its political subdivisions, municipalities, agencies, authorities, or other governmental units, are to be taxed as intangible personal property if the leased property is undeveloped or predominately used for a residential or commercial purpose, and rental payments are due in consideration of the leasehold estate or possessory interest. Lessees of governmentally owned property are required to file an annual intangible tax return, unless the leasehold estate qualifies for specific exemptions, beginning with the 1984 tax year.

#### If the calculated tax due is less than sixty dollars (\$60), no payment is required. However, the taxpayer should file this return without payment to avoid possible future contact regarding this filing period.

Our records are computerized and all information is maintained by account number. Your account number is your Social Security Number (SSN) or Federal Employer Identification Number (FEIN). Please refer to these numbers in all correspondence. Show your correct number on your return. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers obtained for tax administration purposes are confidential under sections 213.053 and 119.071, Florida Statutes, and not subject to disclosure as public records. Collection of your SSN is authorized under state and federal law. Visit our Internet site at www.myflorida.com/dor and select "Privacy Notice" for more information regarding the state and federal law governing the collection, use, or release of SSNs, including authorized exceptions.

#### HOW TO COMPUTE THE TAX

- Line 1 Annual Rental Payment To compute the value of your leasehold estate, determine the amount of annual market rent for the property and enter the amount on Line 1
- Line 2 Valuation Factor Enter on Line 2 the valuation factor for the years remaining on the lease, from the Valuation Factor Table. Also, enter the number of years remaining on the lease in the space provided.
- Line 3 Taxable Amount Multiply the annual rental payment on Line 1 by the valuation factor on Line 2 and enter the result on Line 3.
- Line 4 Tax Due Multiply the amount on Line 3 by .0005 (\$.50 tax for each \$1,000 value) and enter the result on Line 4. If Line 4 is less than \$60, no payment is due.
- Line 5 Discount You may claim a discount for early payment. Consult the FILING DATE section on Page 3.

- Line 6 Penalty and Interest (refer to details on Page 3) -
  - Line 6a. For returns filed after the due date, enter penalty amount due with the tax payment for delinquency and late-filing penalties.
  - Line 6b. For taxes paid after the due date, enter interest due with the late-filed tax payment.

Total the amounts on Line 6a and Line 6b and enter the sum on Line 6.

- Line 7 Total Payment Due For returns filed on or before the due date, subtract Line 5 from Line 4 and enter the result on Line 7. For returns filed after the due date, add Line 4 plus Line 6 and enter the result on Line 7.
- Line 8 Less Amount Paid with Extension Enter any amount paid with an extension on Line 8.
- Line 9 Payment Due Subtract amount on Line 8 from Line 7 and enter result on Line 9.

#### \*\*\*DO NOT DETACH COUPON\*\*\*

Governm	ental Leasehold Intangible Personal Propert	y Tax Return	HD/PM Date:		/	/ US D	OLLAR	s		DR-6 R. 0	601G 1/14
Name Address City/St/ZIP	FEIN	<b>1G</b>	<ol> <li>Annual Rental Payment</li> <li>Valuation Factor Years Remaining</li> <li>Taxable Amount</li> <li>Tax Due (Tax Rate = .0005)</li> <li>Discount See Instructions Above</li> <li>Penalty and Interest a. Penalty \$</li></ol>	, , ,	[ [ [ [	[	)                 	• • • • • • • • •	teres		
	I hereby certify that this return has been examined by me and to the be knowledge is a true and correct return.	est of my	7. Total Due								
	Signature of taxpayer	Date	8. Less Amount Paid with Extension								
	Title () Phone number (includ	de area code)	9. Payment Due				,		•		

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Tax	paye	er Name:			_ Telepho	one Number: ()
Coι	inty I	Property Ider	ntification Number:		_ FEIN _	
Cοι	Inty \	Where Prope	rty Located:		_ SSN (if	no FEIN):
S	che	dule A	Factors for valuation c	f each leasehold e	state. Complete	this supplemental schedule and mail with your return.
1.			overnmental unit owning the			
	0.				onty, 211 )	
2.		What is the	legal description of the prop	-		
3.			e property occupied.			
	b.	Describe th	e improvements belonging t	o the governmental u	nit	
4.			ade improvements to this p ose improvements.			
	c. d.					he location?()yes()no perty? \$
5.		,				tion, and the number of years you have been at this location.
	b.	How long d	o you intend to occupy the p	property?		
6.				-	-	e property? ( ) yes ( ) no
			ement recorded in the officia s the official record book an			no
	0.					
7.						rm of rent? ( ) yes ( ) no payable to the governmental unit?
8.	a.	What is the	term of your lease (in years)	?		
	b.					
9. 10.						greement?
10.						
11.		Is this cons	ideration or "rent" paid week	dy, monthly, yearly, or	other?	
12.			nt include payments for imp		. ,	
13.			a tangible personal property y(ies)?			oraiser? ( ) yes ( ) no
Loo	catio	on address	s (if different than maili	ng address):		
	S	Street Addr	'ess			
	С	City		State	ZIP	County
	Т	elephone l	Number: ()			_
Ind	licat	te changes	s to mailing address be	low:		
	N	lame				
	S	Street Addr	ress			
	С	City		State	ZIP	County
	Т	elephone l	Number: ()			_

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## Instructions

#### **GENERAL INFORMATION**

Florida law classifies a lessee's interest in property leased from a governmental unit as intangible property, where the lessee makes rental payments in consideration of the leasehold estate or possessory interest, whether the leased property is undeveloped or is used for a residential or a commercial purpose.

A leasehold interest created by an original lease for 100 years or more, regardless of renewal options, is considered as creating an ownership right in the leased property and the property will not be classified as intangible property. Property financed, acquired or maintained using funds resulting from the issuance of bonds by Florida industrial development authorities or research and development authorities under Parts II, III, or V of Chapter 159, Florida Statutes, is considered to be owned and the lessee's interest is not classified as intangible property.

A lessee of governmental property will be exempt from annual intangible tax, provided the lease contract requires that the lessee provide space on the leasehold estate for use by a governmental entity. The provision applies retroactively, but does not open any closed period for refund.

Lessees leasing property **classified as agricultural land or land used exclusively for noncommercial public recreational purposes**, or leasing property used for a public purpose or function, and lessees qualified as an organization which uses the property for literary, scientific, religious or charitable purposes, are not subject to intangible tax on their leasehold interest.

If no rental payments are due under the agreement creating a leasehold estate, the leasehold estate is taxed as real property, not as intangible property. Personal property, buildings or other real property improvements owned by a lessee are assessed under Ad Valorem tax provisions, not as intangible property.

# Taxpayers with more than one lease MUST FILE a separate return for each location.

#### WHO MUST FILE

Every lessee of governmental property used for a residential or commercial purpose, or that is undeveloped, is subject to the intangible tax each year on the value of the leasehold estate on January 1 of each tax year, if rental payments are due in consideration for the leasehold estate.

If the 1/2 mill (\$.50 per \$1000 value) annual tax levy on the value of the leasehold estate results in a tax of sixty dollars (\$60) or more, the lessee is required to file this return (Form DR-601G) and pay the tax.

If the tax due is less than sixty dollars (\$60), the taxpayer should file this return without payment of the tax to avoid unnecessary contact by the Department of Revenue.

Taxpayers are not entitled to the exemption for the governmental leasehold intangible personal property tax.

#### FILING DATE

The Governmental Leasehold Intangible Personal Property Tax Return (Form DR-601G) covering the leasehold estate is due January 1 and late after June 30. Returns not filed and taxes not paid by this date are delinquent. The date of postmark or date delivered to the Department is considered the date of payment. A **discount** may be claimed for early filing provided payment is postmarked on or before the last day of the month of one of the following filing periods: January - February 4%; March 3%; April 2%; May 1%; June 0%

**Example:** \$64.33 (tax) X .04 (January discount) = \$ 2.57 (discount allowed)

#### EXTENSION OF TIME

A request for an extension of time for filing may be submitted for review. Form DR-602G must be received by the Department on or before June 30 of the tax year.

#### PENALTY

The return, with full payment of tax, must be postmarked **no later than** June 30 of the applicable tax year to avoid penalty. If June 30 falls on a Saturday, Sunday, or a legal state or federal holiday and the return is postmarked or delivered to the Department on the next workday, it is considered timely.

**Delinquency penalty** is assessed on <u>tax not paid by June 30</u>. The penalty rate is 10% per month or portion of a month, not to exceed a maximum of 50% of the tax due.

**Specific late filing penalty** is assessed <u>on tax returns postmarked after</u> <u>June 30.</u> The penalty rate is 10% per month or portion of a month until the return is filed, not to exceed a maximum of 50% of the tax due.

The combined total of the delinquency penalty and specific late filing penalty will not exceed 10% per month or portion of a month, not to exceed a maximum of 50% of the tax due.

#### INTEREST

If the <u>tax is not paid by June 30</u>, you owe interest on the amount of tax due. Florida law provides a floating rate of interest for late payments of tax due. Interest rates, including daily rates, are published in Tax Information Publications that are updated semiannually on January 1 and July 1 each year and posted online at www.myflorida.com/dor.

#### **OVERPAYMENTS OF TAX**

If you have overpaid your tax and want a refund of the overpayment, you must submit an Application for Refund (Form DR-26). The Application for Refund must be submitted within three (3) years of the date the tax was paid. The Department cannot process a claim for refund without this form. Filing an amended return does not qualify as a claim for refund.

If you have any questions, please call the Refund Subprocess at 850-617-8585 or write to: Florida Department of Revenue, Refund Subprocess, P.O. Box 6470, Tallahassee, FL 32314-6470.

#### AMENDED RETURNS/UNDERPAYMENTS OF TAX

If you discover that intangible property was undervalued on, or omitted from, your tax return, you should file an amended return. The amended return is to be completed in its entirety, as if it was an original filing. Pay only the additional tax due. If the return is postmarked after June 30, you will be subject to penalty and interest. Explain by separate letter, attached to the amended return, whether the property was undervalued or omitted.

Tax information and forms are available online at: www.myflorida.com/dor For assistance, call Taxpayer Services, Monday - Friday, 8 a.m. – 7 p.m., ET, at 800-352-3671. From the option menu, select *Information on Taxes or Forms*.

#### VALUATION OF LEASEHOLD ESTATE

The just value of a lessee's leasehold estate or possessory interest to be reported on the return is determined by the rent payments for the remaining term of the lease, at the Federal Reserve - Atlanta - discount rate on the last business day of the previous year, plus one (1) percent.

Valuation Factor Tables determined annually by the Department based on that discount rate, plus one (1) percent, are published in Taxpayer Information Publications on the Department's Internet site at **www. myflorida.com/dor**. The Valuation Factor Table for the tax year indicated on the front page of this tax return is provided below.

Nominal or token payments are not used to value the lessee's interest. In such cases, the fair market rental for the leased property is the amount to be valued. If lease rental payments are based on some factor, such as a percentage of sales or profits, the average annual rental actually paid for a period not to exceed the previous five years should be used, provided the amount is not nominal or significantly less than fair market rental. If the average amount is a nominal or token amount, the lease rental payment to be valued shall be the fair market rental for the property. Market rent is the amount which would be paid annually for use of a property in the open market, as indicated by current rentals being paid for comparable property. This should be net rent to the owner or lessor after allowance for taxes, insurance or other expenses specifically itemized as part of the rental payment. Do not deduct any such payments that you as the user make.

The period for which the lease payments should be valued is the number of years remaining under the lease on January 1 of the tax year, exclusive of renewal options. The year in which the lease expires should be considered a full year for the purpose of determining the number of years remaining under the lease agreement. If, on January 1 of the tax year, less than one year remains under the lease agreement, the value is determined as if a full year remained and is then prorated for the number of months remaining under the lease agreement.

Valuation Factor Table -								
YEARS REMAINING	FACTOR	YEARS REMAINING	FACTOR	YEARS REMAINING	FACTOR			