



SHXWHÁ:Y VILLAGE PTT FORM #3
EXEMPTION RETURN (MEMBERS and
SHXWHÁ:Y VILLAGE ENTITIES)

DATE
TAX PAID \$
EXEMPTION CODE CLAIMED:

- Use this form only if you are claiming an exemption from the tax under section 13 of the *Shxwhá:y Village Property Transfer Tax Law, 2022*.
- If you are not claiming an exemption, please complete the Shxwhá:y Village Property Transfer Tax General Return, using PTT Form #1.
- If you need more space when completing this Return, please attach additional pages with details.
- A completed Return must be submitted with the application for registration of the taxable transfer. Applications for registration will not be accepted without a completed Return.
- A transferee who provides false or misleading information in a Return is subject to a penalty and interest and may be subject to court action in accordance with the *Shxwhá:y Village Property Transfer Tax Law, 2022*.
- All Returns are subject to review and reassessment in accordance with the *Shxwhá:y Village Property Transfer Tax Law, 2022*.

A. TRANSFEREE (PURCHASER)

Number of purchasers acquiring an interest in the property with this transaction: _____

PURCHASER 1 - SURNAME OR BUSINESS NAME	FIRST NAME	INITIAL
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ADDRESS (include street or PO box number)

CITY/TOWN	PROV	POSTAL CODE
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MEMBER STATUS NUMBER OR BUSINESS NUMBER

Percentage interest being acquired: _____

PURCHASER 2 - SURNAME OR BUSINESS NAME	FIRST NAME	INITIAL
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ADDRESS (include street or PO box number)

CITY/TOWN	PROV	POSTAL CODE
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MEMBER STATUS NUMBER OR BUSINESS NUMBER

Percentage interest being acquired: _____

B. CONTACT NAME AND MAILING ADDRESS (if different than A above)

CONTACT NAME	TELEPHONE NUMBER
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ADDRESS (include street or PO box number)

CITY/TOWN	PROV	POSTAL CODE
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C. TRANSFEROR (VENDOR)

SURNAME OR BUSINESS NAME

FIRST NAME

INITIAL

SURNAME OR BUSINESS NAME

FIRST NAME

INITIAL

D. DESCRIPTION OF PROPERTY AND TRANSFER

1. REGISTRATION DATE OF TAXABLE TRANSFER: _____ DATE OF TRANSFER AGREEMENT: _____

2. ADDRESS OF THE PROPERTY: _____

3. LEGAL DESCRIPTION OF THE PROPERTY: _____

4. TAXABLE TRANSFER RELATED TO: VACANT LAND LAND WITH IMPROVEMENTS

5. PROPERTY TYPE: RESIDENTIAL COMMERCIAL OTHER: _____

6. TAXABLE TRANSFER TYPE: DISPOSITION OF LEASE (INCLUDING TRANSFER, GRANT, ASSIGNMENT)
LEASE EXTENSION (MODIFICATION AGREEMENT)
OPTION TO RENEW OR EXTEND LEASE
LIFE ESTATE IN LEASE AGE OF TRANSFEREE ON REGISTRATION DATE: _____ YEARS

7. PREPAID LEASE: YES NO

8. TERM: _____ YEARS

9. PERCENTAGE OF THE PROPERTY BEING TRANSFERRED IN THIS TAXABLE TRANSFER: _____

E. DETERMINATION OF FAIR MARKET VALUE

1 PREPAID LEASE:

GROSS PURCHASE PRICE: \$ _____
OTHER CONSIDERATION PAID: \$ _____
PROPERTY TAKEN IN TRADE: \$ _____

2 LEASE THAT IS NOT PREPAID (INCLUDING AN OPTION TO RENEW OR EXTEND THE TERM):

A FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ _____
OR
B LUMP SUM CONSIDERATION PAID: \$ _____
ANNUAL RENTAL PAYMENT IN LAST YEAR RENT FIXED: \$ _____

3 LEASE OF PART OF IMPROVEMENTS ON LAND:

FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ _____
AGGREGATE RENTABLE AREA: _____
AGGREGATE RENTABLE AREA OF IMPROVEMENTS: _____

4 LEASE MODIFICATION AGREEMENT:

A IF 100 YEARS OR LESS
LUMP SUM CONSIDERATION PAID: \$ _____
ANNUAL RENTAL PAYMENT IN LAST YEAR RENT FIXED: \$ _____
B IF GREATER THAN 100 YEARS
FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ _____

5 LIFE ESTATE IN A LEASE:

FAIR MARKET VALUE OF LEASEHOLD INTEREST, DETERMINED AS THOUGH THE LIFE ESTATE DID NOT EXIST:

\$ _____

F. ADDITIONAL INFORMATION

IF THE GROSS PURCHASE PRICE DIFFERS FROM THE FAIR MARKET VALUE, INDICATE THE REASON FOR THE DIFFERENCE:

RELATED PARTY TRADE FORECLOSURE DISTRESS SALE

OTHER: _____

IF OTHER PROPERTY TAKEN IN TRADE, INDICATE LEGAL DESCRIPTION AND ADDRESS:

G. PROPERTY TRANSFER TAX CALCULATION

FAIR MARKET VALUE OF TAXABLE TRANSFER: \$ _____

EXEMPTION CODE: _____

1% ON FIRST \$200,000 FAIR MARKET VALUE: \$ _____

2% ON FAIR MARKET VALUE EXCEEDING \$200,000 BUT NOT EXCEEDING \$2,000,000: \$ _____

3% ON FAIR MARKET VALUE EXCEEDING \$2,000,000: \$ _____

ADDITIONAL 2% ON THE PORTION OF THE FAIR MARKET VALUE OF A RESIDENTIAL PROPERTY THAT EXCEEDS \$3,000,000 (calculated in accordance with section 8(2) of the *Shxwhá:y Village Property Transfer Tax Law, 2022*): \$ _____

TAX EXEMPTION AMOUNT: \$ _____

PROPERTY TRANSFER TAX PAYABLE: \$ _____

H. ALLOCATION OF GROSS PURCHASE PRICE (NON-RESIDENTIAL PROPERTIES ONLY)

REAL PROPERTY (LAND AND IMPROVEMENTS ONLY): \$ _____

MACHINERY, FURNITURE AND EQUIPMENT: \$ _____

GOODWILL AND OTHER TANGIBLES: \$ _____

OTHER (DESCRIBE): _____ \$ _____

GROSS PURCHASE PRICE: \$ _____

I. ADDITIONAL INFORMATION AND REQUIREMENTS FOR EXEMPTIONS

1 IF CLAIMING EXEMPTION CODE 23, ATTACH EVIDENCE THAT THE CORPORATION OR PARTNERSHIP MEETS THE DEFINITION OF "FIRST NATION ENTITY" AT S. 2(1) OF THE *SHXWHÁ:Y VILLAGE PROPERTY TRANSFER TAX LAW, 2022*.

2 IF CLAIMING EXEMPTION CODE 25 UNDER PARAGRAPH (c):

IF THE MEMBER AND THE MEMBER'S SPOUSE ARE COMMON LAW PARTNERS, HAVE THEY COHABITATED FOR AT LEAST ONE YEAR? YES NO

3 IF CLAIMING EXEMPTION CODE 25, WILL THE PROPERTY BE USED BY AT LEAST ONE MEMBER AS THEIR PRINCIPAL RESIDENCE? YES NO

4 IF CLAIMING EXEMPTION CODE 26, WILL THE PROPERTY BE USED BY AT LEAST ONE MEMBER AS THEIR PRINCIPAL RESIDENCE? YES NO

5 IF CLAIMING EXEMPTION CODE 26, ATTACH A DECLARATION FROM THE TRUSTEE SETTING OUT THE NAMES OF ALL THE BENEFICIARIES

J. CERTIFICATION

I CERTIFY THAT THE INFORMATION GIVEN IN THIS RETURN IS COMPLETE AND CORRECT IN ALL RESPECTS AND THAT I QUALIFY FOR THE EXEMPTION CLAIMED.

PURCHASER 1 - SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
X		

PRINT NAME

PURCHASER 2 - SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
X		

PRINT NAME

CORPORATE TRANSFEREE

I CERTIFY THAT THE INFORMATION GIVEN IN THIS RETURN IS COMPLETE AND CORRECT, THAT THE TRANSFEREE QUALIFIES FOR THE EXEMPTION CLAIMED, AND THAT I AM AN AUTHORIZED SIGNATORY FOR THE TRANSFEREE

SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
X		

PRINT NAME AND TITLE

SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
X		

PRINT NAME AND TITLE

ACKNOWLEDGEMENT: By signing this Form and applying for this exemption, I acknowledge that the information provided on this form may be verified by Shxwhá:y Village as required to ensure that I qualify for this exemption, in accordance with the *Shxwhá:y Village Property Transfer Tax Law, 2022*.

EXEMPTION CODES

- 22 A taxable transfer to the First Nation as the sole transferee, pursuant to paragraph 13(1)(a) of the *Shxwhá:y Village Property Transfer Tax Law, 2022*.
- 23 A taxable transfer to a First Nation Entity* as the sole transferee, pursuant to paragraph 13(1)(b) of the *Shxwhá:y Village Property Transfer Tax Law, 2022*.
 - * "First Nation Entity" means
 - (a) a corporation in which the First Nation beneficially owns, directly or indirectly, shares
 - (i) having not less than fifty percent (50%) of the votes that could be cast at an annual meeting of the shareholders of the corporation, or
 - (ii) having not less than fifty percent (50%) of the fair market value of all of the issued shares of the capital stock of the corporation; or
 - (b) a partnership in which the First Nation beneficially owns, directly or indirectly,
 - (i) not less than fifty percent (50%) of all voting rights of the partnership, or
 - (ii) interests in the partnership having not less than fifty percent (50%) of the fair market value of all of the interests in the partnership;
- 24 A taxable transfer to a corporation in which the First Nation beneficially owns, directly or indirectly, all of the shares of the corporation, where the corporation is the sole transferee, pursuant to paragraph 13(1)(c) of the *Shxwhá:y Village Property Transfer Tax Law, 2022*.
- 25 A taxable transfer to a member, where
 - (a) the member is the only transferee,
 - (b) all of the transferees are members, or
 - (c) the member and the member's spouse are the only transferees,
 provided that the transferee will hold the interest directly and not as a trustee, and the interest will be the transferee's principal residence, pursuant to paragraph 13(1)(d) of the *Shxwhá:y Village Property Transfer Tax Law, 2022*.
- 26 A taxable transfer to a trustee who will hold the interest in trust for the sole benefit of one or more members and no other person, provided at least one of the members will use the interest as their principal residence, pursuant to paragraph 13(1)(e) of the *Shxwhá:y Village Property Transfer Tax Law, 2022*.