

YEAR

CALIFORNIA FORM

# 2005 Real Estate Withholding Certificate

## 593-C

<b>Part I - Seller's Information</b>			<b>Return this form to your escrow company.</b>
Name (including spouse, if jointly owned - see instructions - type or print) <u>Gary Miller &amp; Cathleen Miller</u>		SSN, FEIN or CA Corporation no.	[REDACTED]
Address (number and street) [REDACTED]		Private Mailbox no.	Spouse's SSN (if jointly owned) [REDACTED]
City [REDACTED]	State [REDACTED]	ZIP Code [REDACTED]	Note: If you do not furnish your tax ID number, this certificate is void. Ownership Percentage _____ %
Property address (if no street address, provide parcel number and county)			

Read the following and check the appropriate boxes. (See line-by-line notes in the instructions.)

### Part II - Certifications which fully exempt the sale from withholding:

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Does the property qualify as the seller's (or decedent's, if being sold by the decedent's estate) <u>principal residence</u> within the meaning of Internal Revenue Code (IRC) Section 121? .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2. Did the seller (or decedent, if being sold by the decedent's estate) last use the property as the seller's (or decedent's) principal residence within the meaning of IRC Section 121 without regard to the two-year time period? .....  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Will the seller have a <u>loss</u> or <u>zero gain</u> for California income tax purposes on this sale? (To check "YES", you must complete Form 593-L, <i>Real Estate Withholding - Computation of Estimated Gain or Loss</i> , and have a loss or zero gain on line 16.) .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. Is the property being compulsorily or <u>involuntarily converted</u> and does the seller intend to acquire property that is similar or related in service or use to qualify for nonrecognition of gain for California income tax purposes under IRC Section 1033? .....   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Will the transfer qualify for <u>nonrecognition</u> treatment under IRC Section 351 (transfer to a corporation controlled by the transferor) or IRC Section 721 (contribution to a partnership in exchange for a partnership interest)? .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. Is the seller a corporation (or an LLC classified as a corporation for federal and California income tax purposes) that is either qualified through the California Secretary of State or has a permanent place of business in California? .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 7. Is the seller a partnership (or an LLC that is not a disregarded single member LLC and is classified as a partnership for federal and California income tax purposes) with recorded title to the property in the name of the partnership or LLC? (If yes, the partnership or LLC must withhold on nonresident partners or members as required.) ..... | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 8. Is the seller a tax-exempt entity under either California or federal law? .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 9. Is the seller an insurance company, individual retirement account, qualified pension/profit sharing plan, or charitable remainder trust? .....  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Part III - Certifications that may partially or fully exempt the sale from withholding:

Escrow Officer: See instructions for amounts to withhold.

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
| 10. Will the transfer qualify as a <u>simultaneous like-kind exchange</u> within the meaning of IRC Section 1031? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Will the transfer qualify as a <u>deferred like-kind exchange</u> within the meaning of IRC Section 1031? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Will the transfer of this property be an <u>installment sale</u> that you will report as such for California tax purposes and has the <u>buyer</u> agreed to withhold on each principal payment instead of withholding the full amount at the time of transfer? ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

### Part IV - Seller's Signature

Under penalties of perjury, I hereby certify that the information provided above is, to the best of my knowledge, true and correct. If conditions change, I will promptly inform the withholding agent. I understand that completing this form does not exempt me from filing a California income or franchise tax return to report this sale.

Seller's Name and Title <u>Gary Miller</u>	Seller's Signature <u>[Signature]</u>	Date <u>4/24/05</u>
Spouse's Name <u>Cathleen Miller</u>	Spouse's Signature <u>[Signature]</u>	Date <u>4/23/05</u>

**Seller:** If you checked "YES" to any question in Part II, you are exempt from real estate withholding.  
 If you checked "YES" to any question in Part III, you may qualify for a partial or complete withholding exemption.  
 If you checked "NO" to all of the questions in Part II and Part III, the withholding will be 3 1/2 percent of the total sales price.  
 If you are withheld upon, the withholding agent should give you two copies of Form 593-B, *Real Estate Withholding Tax Statement*. Attach one copy to the lower front of your California income tax return and keep the other copy for your records.