

# 2005 Real Estate Withholding Remittance Statement

# 593

**Withholding Agent (Payer/Sender)** Check one:  Escrow/Title Company  Accommodator/Intermediary  Buyer

Name		<input type="checkbox"/> FEIN <input type="checkbox"/> California Corporation Number
Address (number and street)	Private Mailbox No.	Social Security Number (SSN)
		- -
City, State, and ZIP Code		Daytime telephone no.
		(      )
Contact Person's Name and Title (please type or print)		

1 Month and year of transfer, exchange completion, exchange failure, or installment payment for attached Forms 593-B . . .	1	M M	/	05
2 Number of Forms 593-B attached . . . . .	2			
3 Total withholding due for attached Forms 593-B . . . . .	3	\$		
4 Interest on previous late payment(s) which were due in 2005 . . . . .	4	\$		
5 Total amount of this payment. Add line 3 and line 4 . . . . .	5	\$		

Attach a check or money order for the full amount payable to "Franchise Tax Board." Write the payer's federal employer identification number (FEIN), California corporation number, or social security number, and "2005 Form 593" on the check or money order.

Mail payment, Form 593, and Forms 593-B to: **FRANCHISE TAX BOARD  
PO BOX 942867  
SACRAMENTO CA 94267-0651**

## General Information

California Revenue and Taxation Code Section 18662 requires the buyer or other transferee to withhold 3 1/3 percent of the total sales price on the disposition of California real estate unless the seller certifies an exemption of Form 593-C, Real Estate Withholding Certificate.

## Purpose

Use this form to report and remit the total real estate withholding for the month and to pay any interest assessed on late withholding payments for 2005. This form is also a transmittal for Form 593-B, *Real Estate Withholding Tax Statement*.

**Note:** You have the option to send one payment and Form 593 with the related Forms 593-B for each escrow instead of sending one total payment for all escrows that closed during the month.

**Do not use this form** to pay interest on late payments related to escrows that closed prior to 2004. Continue to use the Form 592-A, *Nonresident Withholding Remittance Statement*, prepared for you by the FTB, for interest related to sales that closed before 2004. If the interest due is for 2004, get the 2004 Form 593.

## Common Errors

**Incomplete Forms** – To speed processing and avoid our contacts for information, please provide all information requested on the form.

**Payments** – Do not include payments for more than one month with a single Form 593.

## Who Must File

Any person who withheld on the sale or transfer of California real property during the calendar month must file Form 593 to

report and remit the amount withheld. Generally, this will be the title company, escrow company, accommodator, or intermediary. Normally, the buyer will only complete this form when reporting the withholding on installment payments.

## When and Where to File

File Form 593 and Form 593-B, and pay the amount of tax withheld within 20 days following the end of the month in which the transaction occurred.

**Sales:** For sales, this is the month escrow closed.

**Installment Payments:** For installment payments, this is the month of the installment payment.

**Exchanges:** For exchanges, this is either the month that the last leg of the exchange was completed and boot (cash or cash equivalent) was distributed to the exchanger or when it was determined that

the exchange would not meet the Internal Revenue Code (IRC) Section 1031 requirements and any cash or cash equivalent was distributed to the seller. When the relinquished property was sold in the year prior to the year withholding is done, use withholding forms for the year of the distribution of funds since the exchangor will qualify for installment sale reporting.

**Interest Assessment Payment:** If you received an interest assessment letter and the interest due date is prior to your next withholding due date, you should send Form 593 immediately with your interest payment. You would then send a separate Form 593 with the next withholding payment.

Attach a copy of any interest assessment letter for which payment is included on Line 4 and Copy A of all Forms 593-B for the calendar month behind Form 593 and mail with your payment to:

FRANCHISE TAX BOARD  
PO BOX 942867  
SACRAMENTO CA 94267-0651

## Interest and Penalties

Interest will be assessed on late withholding payments and is computed from the date due to the date paid.

If the real estate escrow person does not notify the buyer of the withholding requirements in writing, the penalty is the greater of \$500 or ten percent of the required withholding.

If the buyer (after notification) or other withholding agent does not withhold, the penalty is the greater of \$500 or ten percent of the required withholding.

If the withholding agent (the person who withheld) does not furnish complete and correct copies of Form 593-B to the seller by the due date, the penalty is \$50 per Form 593-B. If the failure is due to an intentional disregard of the requirement, the penalty is the greater of \$100 or ten percent of the required withholding.

If the withholding agent does not furnish complete and correct copies of Form 593-B to the FTB by the due date but does file them within 30 days of the due date, the penalty is \$15 per Form 593-B. If Form 593-B is filed more than 30 days after the due date, the penalty is \$50 per Form 593-B. If the failure is due to an intentional disregard of the requirement, the penalty is the greater of \$100 or ten percent of the required withholding.

## Specific Instructions

### Before You Begin

Complete all Forms 593-B that will be attached to this Form 593. On-line fillable Forms 593 and 593-B are available on the FTB Internet site at [www.ftb.ca.gov](http://www.ftb.ca.gov).

### Withholding Agent

**Make sure you complete all appropriate lines on Forms 593 and 593-B to avoid processing delays.**

Check the box to indicate the type of withholding agent (the person actually sending the withholding to the FTB). Typically, this is the escrow or title company for regular sales and simultaneous IRC Section 1031 exchanges; the accommodator or intermediary for non-simultaneous exchanges; and the buyer for installment payments.

Enter the name, address, and tax identification number of the withholding agent (payer/sender).

Enter the social security number only when the buyer, who is an individual, is sending the withholding payment.

### Line 1

Enter the month of the withholding. If you are only paying interest, leave line 1 blank.

**Caution:** Report only a single month of withholding per Form 593. If you are sending withholding for more than one month, complete a separate Form 593 for each month. If you already sent a Form 593 for the calendar month but have additional withholding to remit, complete a new Form 593 showing the totals for the additional payment. **Do not include** amounts reported on a previous Form 593. **Do not send the instructions for Forms 593 or 593-B to the FTB.**

### Line 2

Enter the number of Forms 593-B attached to Form 593. The date in Box 2 on each Form 593-B should be the same month as indicated on Line 1. Attach only Copy A of Form 593-B.

### Line 3

Enter the total Amount Withheld (box 7) from the attached Forms 593-B.

### Line 4

Enter the interest due that was assessed and is being paid on late withholding payments for 2005. Attach a copy of the interest assessment letter(s) behind Form 593.

**Caution:** If you received Form 592-A with your interest assessment letter for a year prior to 2004, **do not include** the interest payment on Form 593. Use the Form 592-A prepared for you by FTB to send your interest payment. If the interest due is for 2004, get the 2004 Form 593.

If you are paying your withholding late, **do not estimate** the interest. The FTB will compute the interest and send you an interest assessment letter after we receive the payment.

### Line 5

Enter the sum of line 3 and line 4. This is the total payment amount.

## Additional Information

For more information on real estate withholding, get FTB Pub. 1016, *Real Estate Withholding Guidelines*. To get a withholding form or publication, or to speak to a representative, contact our Withholding Services and Compliance Section's automated telephone service at:

**(888)** 792-4900 (toll-free), or  
(916) 845-4900  
FAX (916) 845-9512

You can view, download, and print California tax forms and publications from our Website [www.ftb.ca.gov](http://www.ftb.ca.gov).

### Assistance for Persons with Disabilities

We comply with the Americans with Disabilities Act. Persons with hearing or speech impairments please call:

TTY/TDD ..... (800) 822-6268

### Asistencia Telefonica y en el Internet

Dentro de los Estados Unidos,

llame al ..... (800) 852-5711

Fuera de los Estados Unidos,

llame al ..... (916) 845-6500  
(cargos aplican)

Sitio en el Internet: [www.ftb.ca.gov](http://www.ftb.ca.gov)

### Asistencia para Personas Discapacitadas

Nosotros estamos en conformidad con el Acta de Americanos Discapacitados. Personas con problemas auditivos pueden llamar al TTY/TDD (800) 822-6268.