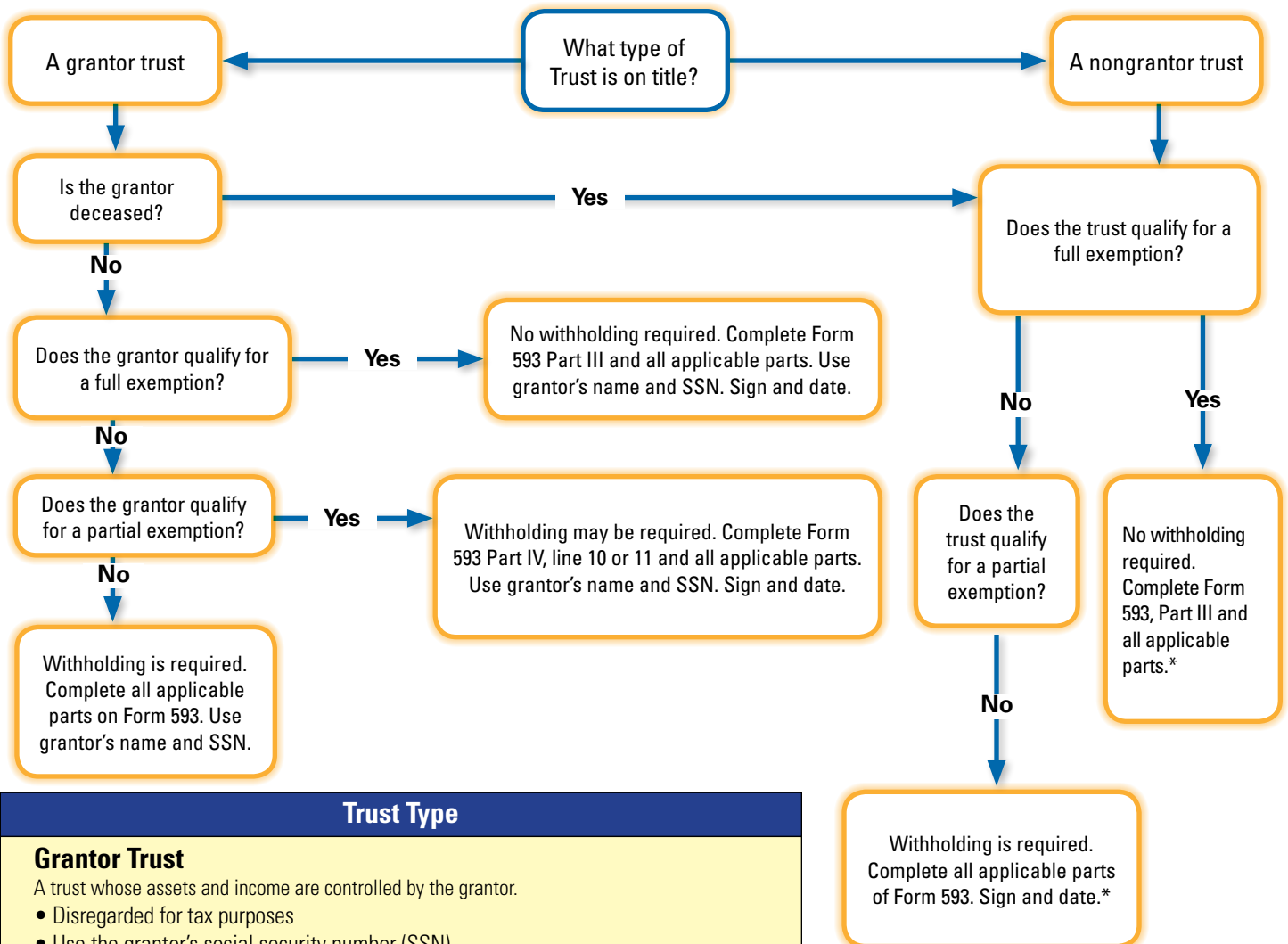


Do I Need to Withhold on This Trust?



Use this flow chart to determine if California real estate withholding is required when a trust is on title. For more detailed information, refer to Form 593, *Real Estate Withholding Statement*, and FTB Pub. 1016, *Real Estate Withholding Guidelines*.



Trust Type
<p>Grantor Trust A trust whose assets and income are controlled by the grantor.</p> <ul style="list-style-type: none"> Disregarded for tax purposes Use the grantor's social security number (SSN) Include on the grantor's tax return*
<p>Nongrantor Trust A trust not owned by an individual and viewed as a taxable entity.</p> <ul style="list-style-type: none"> Taxable entity separate from the grantor Generally uses a Federal Employer Identification Number (FEIN) Files a fiduciary income tax return
<p>Items that may be helpful in determining trust status include:</p> <ul style="list-style-type: none"> Trust instrument/document Prior filing history Federal elections Professional advice is highly recommended to determine trust status, trust type, and filing requirements

*If the grantor is deceased, the close of escrow needs to be taken into consideration. If escrow closes prior to the grantor's passing, use the grantor's name and SSN. If escrow closes after, use the nongrantor trust name and FEIN.

