



Ontario

Ministry of
Consumer and
Commercial
Relations

Registration
Division

Real
Property
Registration
Branch

BULLETIN NO. 91002

DATE: July 20, 1991

TO:
All Land Registrars

RETAIL SALES TAX

Chattels Exemptions On Land
Transfer Tax Affidavit


If there is a disclosure of consideration paid for chattels in an Affidavit of Residence and of Value of the Consideration (commonly referred to as a Land Transfer Tax Affidavit), Provincial Sales Tax should be collected on the amount shown unless an exemption is claimed and indicated by a recital.

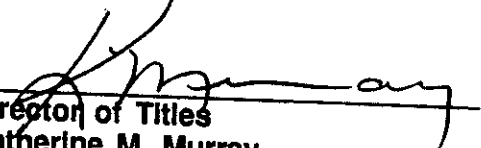
Examples of reasons for an exemption are:

- the sale of certain farm equipment for farm use;
- the purchaser is a manufacturer;
- the goods are sold by a parent to a subsidiary or vice versa;
- the goods are purchased for resale;
- the chattels are specifically exempt by statute.

When a purchaser is claiming an exemption, an exemption recital must be included in the Land Transfer Tax Affidavit, and can be as simple as one of the examples above. No further documentation is required and it is not the responsibility of land registry office staff to verify exemptions. Registration should not be delayed due to incomplete sales tax documentation on the Land Transfer Tax Affidavit. The Retail Sales Tax Branch will determine whether or not to question the claimed exemption.

The Purchase Exemption Certificate (previously called a Chattels Exemption Certificate) is no longer required from the purchaser. If the form is nevertheless submitted in place of a recital, it should be accepted and forwarded to the proper Retail Sales Tax office.


Director of Land Registration
Carol D. Kirsh


Director of Titles
Katherine M. Murray

