



# Withholding Tax Remittance Return

For Onerous Transfer of Real Property Other than Capital Asset (Including Taxable and Exempt)

Fill in all applicable spaces. Mark all appropriate boxes with an "X".

1 Date of Transaction (MM/DD/YYYY)	2 Amended Return? Yes No	3 No. of Sheets Attached	4 Any Taxes Withheld? Yes No
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### Part I Background Information

5 TIN Buyer	6 RDO Code	7 TIN Seller	8 RDO Code
9 Buyer's Name		10 Seller's Name	
11 Buyer's Registered Address		12 Seller's Registered Address	
13 A T C	Individual	Corporation	14 Category of Withholding Agent

15 Classification of Property

Residential Commercial Condominium Residential Others (specify)

Agricultural Industrial Condominium Commercial

16 Location of the Property

17 Brief Description of the Property Area Sold (sq.m.) Tax Dec. No.

TCT/OCT/CCT No. Others

18 Does the selling price cover more than one property? Yes No

19 Are you availing of tax relief under an International Tax Treaty or Special Law? Yes No If yes, specify

20 Description of Transaction (Mark one box only)

Cash Sale Exempt Installment Sale Foreclosure Sale Others

If Exempt, or Others, specify

21 Selling Price 22 Cost and Other Expenses 23 Mortgage Assumed 24 Total Payments during the Initial Year 25 Amount of Installment this Month 26 Total No. of Installments in the Contract

27 Fair Market Value (FMV) - Valuation at the time of the Contract

27A FMV of Land per latest Tax Declaration 27B FMV of Improvements per latest Tax Declaration 27C FMV of Land as determined by BIR Commissioner (zonal value) 27D FMV of Improvements as determined by BIR Commissioner (BIR Rules)

28 Determination of Taxable Base

28A Gross Selling Price 28B Fair Market Value of Land and Improvement (Sum of 27A & 27B/ 27C & 27D/ 27B & 27C/27A & 27D, whichever is higher) 28C Bid Price (For Foreclosure Sale) 28D Installment Collected (For Installment Sale excluding interest) 28E Others (Specify) COMPUTATION

29 Is the seller habitually engaged in real estate business? Yes No

### Part II Computation of Tax

30 Taxable Base (Item 28A or 28B, whichever is higher, for cash sale, or Item 28C, or 28D, or 28E, whichever is applicable)	31 Tax Rate	32 Tax Required to be Withheld	33 Less: Tax Paid in Return Previously Filed, if this is an Amended Return	34 Tax Still Due/(Overremittance)	35 Add: Penalties Surcharge Interest Compromise	36 Total Amount Still Due/(Overremittance) (Sum of Items 34 & 35D)
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If overremittance, mark one box only:  To be Refunded  To be issued a Tax Credit Certificate

I declare, under the penalties of perjury, that this return has been made in good faith, verified by me, and to the best of my knowledge and belief, is true and correct, pursuant to the provisions of the National Internal Revenue Code, as amended, and the regulations issued under authority thereof.

37 Taxpayer/Authorized Agent Signature over Printed Name 38 Title/Position of Signatory

Stamp of Receiving Office and Date of Receipt

### Part III Details of Payment

Particulars	Drawee Bank/ Agency	Number	Date			Amount
			MM	DD	YYYY	
39 Cash/Bank Debit Memo						
40 Check 40A	40B	40C				40D
41 Others 41A	41B	41C				41D

Machine Validation/Revenue Official Receipt Details (If not filed with the bank)

TAX RATES		TRANSACTION
<b>FOR TRANSACTIONS INVOLVING REAL PROPERTY</b>		
0%	a)	Registered with and certified by the Housing and Land Use Regulatory Board (HLURB) or HUDCC as engaged in socialized housing projects pursuant to RA 7279 & its implementing regulations. The selling price of the house and lot or only the lot does not exceed P 180,000 in Metro Manila and other highly urbanized area or P 150,000 in other areas or on the adjusted amount of selling price for Socialized Housing as maybe determined later by the HLURB.
1.5%	b)	Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is not over P 500,000.
3%	c)	Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is over P 500,000 but not over P 2,000,000.
5%	d)	Not registered with Housing and Land Use Regulatory Board (HLURB) as engaged in Socialized Housing projects under RA 7279; The seller / transferor is habitually engaged in real estate business; The selling price thereof is over P 2,000,000.00
7.5%	e)	Seller / transferor is not habitually engaged in real estate business.

**BIR FORM 1606 -Withholding Tax Remittance Return  
[For Onerous Transfer of Real Property Other Than Capital Asset  
- Including Taxable and Exempt]  
Guidelines and Instructions**

**Who Shall File**

This return shall be filed in triplicate by every Withholding Agent/Buyer on the sale, transfer or exchange of real property classified as ordinary asset. One return should be filed for every property (including portion of a property) purchased.

The term **“Ordinary Asset”** shall mean property held by the taxpayer other than capital asset including stock in trade, or other property of a kind which would properly be included in the inventory if on hand at the close of the taxable year, or property held primarily for sale to customers in the ordinary course of trade or business, or property used in trade or business of a character which is subject to the allowance for depreciation, or real property used in trade or business.

**When and Where to File**

The return shall be filed on or before the tenth (10<sup>th</sup>) day following the end of the month in which the transaction occurred. Provided, however, that taxes withheld in December shall be filed on or before January 25 of the following year. Provided, that large taxpayers as determined by the Commissioner shall file on or before the 25<sup>th</sup> day of the following month.

The return shall be filed with any Authorized Agent Bank (AAB) of the Revenue District Office (RDO) having jurisdiction over the place where the property being transferred is located. In places where there are no Authorized Agent Banks (AABs), the return shall be filed with the Revenue Collection Officer or duly Authorized City or Municipal Treasurer of the Revenue District Office having jurisdiction over the place where the property being transferred is located.

**When and Where to Remit**

Upon filing of this return, the total amount to be remitted shall be paid to the Authorized Agent Bank (AAB) where the return is filed. In places where there are no Authorized Agent Banks (AABs), payment shall be made directly to Revenue Collection Officer or the duly Authorized City or Municipal Treasurer who shall issue Revenue Official Receipt (BIR Form No. 2524) therefor.

Where the return is filed with an AAB, the lower portion of the return must be properly machine-validated and stamped by the Authorized Agent Bank to serve as the receipt of payment. The machine validation shall reflect the date of payment, amount paid and transaction code and the stamp mark shall show the name of the bank, branch code, teller's code and teller's initial. The AAB shall also issue an official receipt or bank debit advice or credit document, whichever is applicable, as additional proof of payment.

**NOTE:**

**This form may still be used, however, the rates and the due dates reflected herein has been amended as follows:**

<b>Tax Rates:</b>	<b>FROM</b>	<b>TO</b>
	e) 7.5%	e) 6%

**Due Date:** On or before the 10th day following the end of the month in which the transaction occurred.

**Adopt the aforementioned rates and due date to avoid imposition of penalty/ties.**

**Penalties**

There shall be imposed and collected as part of the tax:

- A surcharge of twenty five percent (25%) for each of the following violations:
  - Failure to file any return and pay the amount of tax or installment due on or before the due date;
  - Unless otherwise authorized by the Commissioner, filing a return with a person or office other than those with whom it is required to be filed;
  - Failure to pay the full or part of the amount of tax shown on the return, or the full amount of tax due for which no return is required to be filed on or before the due date;
  - Failure to pay the deficiency tax within the time prescribed for its payment in the notice of assessment.
- A surcharge of fifty percent (50%) of the tax or of the deficiency tax, in case any payment has been made on the basis of such return before the discovery of the falsity or fraud, for each of the following violations:
  - Willful neglect to file the return within the period prescribed by the Code or by rules and regulations; or
  - In case a false or fraudulent return is willfully made.
- Interest at the rate of twenty percent (20%) per annum, or such higher rate as may be prescribed by rules and regulations, on any unpaid amount of tax, from the date prescribed for the payment until the amount is fully paid.
- Compromise penalty.

**Attachments Required**

- A copy of Notarized Deed of Sale or Exchange;
- Photocopy of the Transfer Certificate of Title (TCT)/ or Original Certificate of Title (OCT)/ or Condominium Certificate of Title (CCT);
- Certified True Copy of the latest Tax Declaration (lot and/or improvement);
- If what is sold is lot only, a certification from the Assessor's Office that there is no existing improvement on the lot being sold/transferred;
- Copy of BIR Ruling for tax exemption confirmed by the BIR, if applicable;
- Proof of registration with HLURB or HUDCC, if applicable;
- For amended return, proof of tax payment and the previously filed return.

These requirements must be submitted upon field or office audit of the tax case before the Tax Clearance Certificate/Certificate Authorizing Registration can be released to the taxpayer.

**Note: All background information must be properly filled up.**

- Box No. 1 refers to the transaction period and not the date of filing this return.
- The last 3 digits of the 12-digit TIN refers to the branch code.
- TIN = Taxpayer Identification Number.
- Onerous Transfer means transfer for value.

ENCS