



# TSAWOUT FIRST NATION

7728 Tetayut Rd.  
 SAANICHTON, British Columbia V8M 2E4  
 Phone: (250) 652-9101 Fax: (250) 652-9114

## PROPERTY TRANSFER TAX EXEMPTION RETURN (MEMBERS)

- Use this form only if you are claiming an exemption from the tax under section 13 of the *Tsawout First Nation Property Transfer Tax Law, 2023*.
- If you are not claiming an exemption, please use the *Property Transfer Tax General Return*.
- If you need more space when completing this Return, please attach additional pages with details.
- A completed Return must be submitted with the application for registration of the taxable transfer. Applications for registration will not be accepted without a completed Return.
- A transferee who provides false or misleading information in a Return is subject to a penalty and interest in accordance with the *Tsawout First Nation Property Transfer Tax Law, 2023*.
- All Returns are subject to review and reassessment in accordance with the *Tsawout First Nation Property Transfer Tax Law, 2023*.

DATE
TAX PAID \$
EXEMPTION CODE CLAIMED:

### A. TRANSFEREE (PURCHASER)

Number of purchasers acquiring an interest in the property with this transaction: \_\_\_\_\_

PURCHASER 1 - SURNAME FIRST NAME INITIAL

ADDRESS (include street or PO box number)

CITY/TOWN PROV POSTAL CODE

Percentage interest being acquired: \_\_\_\_\_

PURCHASER 2 - SURNAME FIRST NAME INITIAL

ADDRESS (include street or PO box number)

CITY/TOWN PROV POSTAL CODE

Percentage interest being acquired: \_\_\_\_\_

---

**B. CONTACT NAME AND MAILING ADDRESS** (if different than A above)

CONTACT NAME

TELEPHONE NUMBER

---

ADDRESS (include street or PO box number)

---

---

CITY/TOWN

PROV

POSTAL CODE

---

**C. TRANSFEROR (VENDOR)**

SURNAME

FIRST NAME

INITIAL

---

SURNAME

FIRST NAME

INITIAL

---

**D. DESCRIPTION OF PROPERTY AND TRANSFER**

1. REGISTRATION DATE OF TAXABLE TRANSFER: \_\_\_\_\_ DATE OF TRANSFER AGREEMENT: \_\_\_\_\_

2. ADDRESS OF THE PROPERTY: \_\_\_\_\_

---

3. LEGAL DESCRIPTION OF THE PROPERTY: \_\_\_\_\_

4. TAXABLE TRANSFER RELATED TO:  VACANT LAND  LAND WITH IMPROVEMENTS5. PROPERTY TYPE:  RESIDENTIAL  COMMERCIAL  OTHER: \_\_\_\_\_6. TAXABLE TRANSFER TYPE:  DISPOSITION OF LEASE (INCLUDING TRANSFER, GRANT, ASSIGNMENT) LEASE EXTENSION (MODIFICATION AGREEMENT) OPTION TO RENEW OR EXTEND LEASE LIFE ESTATE IN LEASE AGE OF TRANSFEREE ON REGISTRATION DATE: \_\_\_\_\_ YEARS7. PREPAID LEASE:  YES  NO

8. TERM: \_\_\_\_\_ YEARS

9. PERCENTAGE OF THE PROPERTY BEING TRANSFERRED IN THIS TAXABLE TRANSFER: \_\_\_\_\_

---

**E. DETERMINATION OF FAIR MARKET VALUE**

1 PREPAID LEASE:

GROSS PURCHASE PRICE: \$ \_\_\_\_\_

OTHER CONSIDERATION PAID: \$ \_\_\_\_\_

PROPERTY TAKEN IN TRADE: \$ \_\_\_\_\_

2 LEASE THAT IS NOT PREPAID (INCLUDING AN OPTION TO RENEW OR EXTEND THE TERM):

A FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ \_\_\_\_\_

OR

B LUMP SUM CONSIDERATION PAID: \$ \_\_\_\_\_

ANNUAL RENTAL PAYMENT IN LAST YEAR RENT FIXED: \$ \_\_\_\_\_

3 LEASE OF PART OF IMPROVEMENTS ON LAND:

FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ \_\_\_\_\_

AGGREGATE RENTABLE AREA: \_\_\_\_\_

AGGREGATE RENTABLE AREA OF IMPROVEMENTS: \_\_\_\_\_

4 LEASE MODIFICATION AGREEMENT:

A IF 100 YEARS OR LESS

LUMP SUM CONSIDERATION PAID: \$ \_\_\_\_\_

ANNUAL RENTAL PAYMENT IN LAST YEAR RENT FIXED: \$ \_\_\_\_\_

B IF GREATER THAN 100 YEARS

FAIR MARKET VALUE OF FEE SIMPLE INTEREST, INCLUDING IMPROVEMENTS: \$ \_\_\_\_\_

5 LIFE ESTATE IN A LEASE:

FAIR MARKET VALUE OF LEASEHOLD INTEREST IN LAND, DETERMINED AS THOUGH THE LIFE ESTATE DID NOT EXIST: \$ \_\_\_\_\_

**F. ADDITIONAL INFORMATION**

IF THE GROSS PURCHASE PRICE DIFFERS FROM THE FAIR MARKET VALUE, INDICATE THE REASON FOR THE DIFFERENCE:

RELATED PARTY     TRADE     FORECLOSURE     DISTRESS SALE

OTHER: \_\_\_\_\_

IF OTHER PROPERTY TAKEN IN TRADE, INDICATE LEGAL DESCRIPTION AND ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_

**G. PROPERTY TRANSFER TAX CALCULATION**

FAIR MARKET VALUE OF TAXABLE TRANSFER: \$ \_\_\_\_\_

1% ON FIRST \$200,000 FAIR MARKET VALUE: \$ \_\_\_\_\_

2% ON FAIR MARKET VALUE EXCEEDING \$200,000 BUT NOT EXCEEDING \$2,000,000: \$ \_\_\_\_\_

3% ON FAIR MARKET VALUE EXCEEDING \$2,000,000: \$ \_\_\_\_\_

ADDITIONAL 2% ON FAIR MARKET VALUE OF RESIDENTIAL PROPERTY EXCEEDING \$3,000,000: \$ \_\_\_\_\_

**PROPERTY TRANSFER TAX PAYABLE:** \$ \_\_\_\_\_

---

**H. ALLOCATION OF GROSS PURCHASE PRICE (NON-RESIDENTIAL PROPERTIES ONLY)**

REAL PROPERTY (LAND AND IMPROVEMENTS ONLY): \$ \_\_\_\_\_

MACHINERY, FURNITURE AND EQUIPMENT: \$ \_\_\_\_\_

GOODWILL AND OTHER TANGIBLES: \$ \_\_\_\_\_

OTHER (DESCRIBE): \_\_\_\_\_ \$ \_\_\_\_\_

GROSS PURCHASE PRICE: \$ \_\_\_\_\_

---

**I. ADDITIONAL INFORMATION AND REQUIREMENTS FOR EXEMPTIONS**

1 IF CLAIMING EXEMPTION CODE 22:

IF THE FIRST NATION ENTITY IS A **CORPORATION**, ATTACH EVIDENCE THAT THE FIRST NATION BENEFICIALLY OWNS, DIRECTLY OR INDIRECTLY, SHARES

- (A) HAVING NOT LESS THAN FIFTY PERCENT (50%) OF THE VOTES THAT COULD BE CAST AT AN ANNUAL MEETING OF THE SHAREHOLDERS OF THE CORPORATION, OR
- (B) HAVING NOT LESS THAN FIFTY PERCENT (50%) OF THE FAIR MARKET VALUE OF ALL OF THE ISSUED SHARES OF THE CAPITAL STOCK OF THE CORPORATION.

IF THE FIRST NATION ENTITY IS A **PARTNERSHIP**, ATTACH EVIDENCE THAT THE FIRST NATION BENEFICIALLY OWNS, DIRECTLY OR INDIRECTLY

- (A) NOT LESS THAN FIFTY PERCENT (50%) OF ALL VOTING RIGHTS OF THE PARTNERSHIP, OR
- (B) INTERESTS IN THE PARTNERSHIP HAVING NOT LESS THAN FIFTY PERCENT (50%) OF THE FAIR MARKET VALUE OF ALL OF THE INTERESTS IN THE PARTNERSHIP.

- 2 IF CLAIMING EXEMPTION CODE 23, ATTACH EVIDENCE THAT THE FIRST NATION BENEFICIALLY OWNS, DIRECTLY OR INDIRECTLY, ALL OF THE SHARES OF THE CORPORATION.
- 3 IF CLAIMING EXEMPTION CODE 24 UNDER PARAGRAPH (C):

IF THE MEMBER AND THE MEMBER'S SPOUSE ARE COMMON LAW PARTNERS, HAVE THEY COHABITATED FOR AT LEAST 1 YEAR?

YES  NO

- 4 IF CLAIMING EXEMPTION CODE 25, ATTACH A DECLARATION FROM THE TRUSTEE SETTING OUT THE NAMES OF ALL OF THE BENEFICIARIES.

---

**J. CERTIFICATION**

I CERTIFY THAT THE INFORMATION GIVEN IN THIS RETURN IS COMPLETE AND CORRECT IN ALL RESPECTS.

PURCHASER 1 - SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
<b>X</b>		

PRINT NAME

PURCHAER 2 - SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
<b>X</b>		

PRINT NAME

---

**CORPORATE TRANSFEREE**

I CERTIFY THAT THE INFORMATION GIVEN IN THIS RETURN IS COMPLETE AND CORRECT, AND THAT I AM AN AUTHORIZED SIGNATORY FOR THE TRANSFEREE

SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
<b>X</b>		

PRINT NAME AND TITLE

SIGNATURE	TELEPHONE NUMBER	DATE SIGNED
<b>X</b>		

PRINT NAME AND TITLE

---

CONSENT: By signing this Form and applying for this exemption, I consent that the information provided on this form may be verified by the First Nation as required to ensure that I qualify for this exemption, in accordance with the *Tsawout First Nation Property Transfer Tax Law, 2023*.

**EXEMPTION CODES**

- 21 A taxable transfer to the First Nation as the sole transferee.
- 22 A taxable transfer to a First Nation Entity as the sole transferee.
- 23 A taxable transfer to a corporation in which the First Nation beneficially owns, directly or indirectly, all of the shares of the corporation, where the corporation is the sole transferee.
- 24 A taxable transfer to a member, where
  - (a) the member is the only transferee,
  - (b) all of the transferees are members, or
  - (c) the member and the member's spouse are the only transferees.
- 25 A taxable transfer to a trustee who will hold the interest in land in trust for the sole benefit of one or more members and no other person.