

# Exemption from Duty

## Declaration by a Tenant of the Department of Housing or the Aboriginal Housing Office

**Note:**

- The following are eligible for exemption from duty:
  - ▶ an agreement for sale or transfer of land;
  - ▶ a transfer of land; or
  - ▶ a mortgage.
- Read the notes on the back page before completing this form
- Under the Taxation Administration Act 1996, it is an offence to give false or misleading information
- Print clearly in the boxed spaces and tick the appropriate boxes.

I (full name),		
of (address)		
Suburb	State	Postcode
Daytime phone number ( )		

do solemnly and sincerely declare that:

1. I am:

- the purchaser/transferee under an agreement for sale of land/transfer
- one of the purchasers/transferees under an agreement for sale of land/transfer
- the borrower under a mortgage
- one of the borrowers under a mortgage.

2. The transaction for which exemption is sought is:

a transfer or agreement for sale or transfer dated

/ /
Date of transfer/agreement

between

Name(s) of transferor/vendor under transfer or agreement
--

and

Name(s) of transferee/purchaser under transfer or agreement
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a mortgage executed to finance or assist the purchase of the land,  
or a mortgage executed to support such a mortgage, dated

/ /
Date of mortgage

between

Name(s) of mortgagor(s)
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and

Name(s) of mortgagee(s)
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3. The transaction is over property known as

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Description of land

being the land comprised in folio identifier

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Title details of land

4. At the date of first execution of the agreement/transfer/mortgage, I was:

- a Department of Housing tenant
- an Aboriginal Housing Office tenant
- a Community Tenancy Scheme tenant

**Note:** You must produce a letter from the Department of Housing or the Aboriginal Housing Office verifying this.

5. Under the agreement/transfer, I will obtain not less than 25 per cent of the beneficial ownership of the land

6. The other purchasers (if any) under the agreement/transfer are natural persons who are either members of my family or are only purchasing to assist me to acquire the land

**Note:** The New South Wales Land and Housing Corporation is not considered to be a purchaser.

7. I will occupy the property as my principal place of residence for a continuous period of six months commencing within 12 months after the completion of the agreement for sale or transfer

### Declaration

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900*

Declared at (Place)	on (Date)	/	/20
Signature of declarant			

in the presence of an authorised witness, who states:

I (Name of authorised witness),
a (Qualification of authorised witness)

certify the following matters concerning the making of this statutory declaration by the person who made it (*\*please cross out any text that does not apply*):

1. \*I saw the face of the person OR  
\*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. \*I have known the person for at least 12 months OR  
\*I have not known the person for at least 12 months, but I have confirmed the person's identity using an identification document and the document I relied on was

(Describe identification document relied on)

Signature of authorised witness	Date	/	/20
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## Notes

1. A mortgage by an eligible tenant is not chargeable with duty only to the extent to which the amount secured by the mortgage is to finance or assist the purchase of the land by the tenant. Any further amounts secured by the mortgage attract mortgage duty at the rate of \$4 per \$1,000 (or part of \$1,000).
2. A person is a member of an eligible tenant's family if one is the spouse or de facto partner of the other, or the relationship between them is that of parent and child, brothers, sisters, or brother and sister.

### Privacy statement

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### Contact details

 1300 139 814\* (Monday – Friday, 8.30 am – 5.00 pm) \*Interstate clients please call (02) 9689 6200  
 [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au)  [duties@revenue.nsw.gov.au](mailto:duties@revenue.nsw.gov.au)  Help in community languages is available.

### Postal address

GPO Box 4042  
Sydney NSW 2001

### DX number

DX 456 Sydney

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