

AFFIDAVIT OF SELLER'S RESIDENCE

Seller's Name

Seller's Identification Number (SSN or FEI)

Street Address

INSTRUCTIONS

This form is provided to be executed by the seller and furnished to the buyer to establish Georgia residency, such that withholding from the proceeds of the sale of property are not subject to the withholding laws of this state. (See O.C.G.A. '48-7-128.)

Sellers are not subject to withholding from the proceeds of sale if either they reside in Georgia, or they are deemed to be a Georgia resident by virtue of the fact that they have filed Georgia tax returns in the preceding two years, do business or own property in Georgia, intend to file a Georgia Tax return for the current year, and if a corporation or limited partnership, are registered to do business in this State.

Buyer is not required to withhold if this affidavit (or one in substantially the same form) is submitted to the Department in lieu of a withholding tax return.

The seller is to execute this affidavit by placing an initial in the blanket preceding statements which apply.

Seller is exempt from withholding on the sale of property because:

_____ Seller is a resident of Georgia.

Seller is not a resident of Georgia, but is deemed a resident for purposes of withholding by virtue of the following:

_____ Seller is a nonresident who has filed Georgia tax returns for the preceding two years; and

_____ Seller is an established business in Georgia and will continue substantially the same business in Georgia after the sale OR the seller has real property in the State at the time of closing of equal or greater value than the withholding tax liability as measured by the 100% property tax assessment of such remaining property; and

_____ Seller will report the sale on a Georgia Income Tax return for the current year and file by its due date; and

_____ If seller is a corporation or limited partnership, seller is registered to do business in Georgia.

(Signatures on following page)

Under penalty of perjury, I swear that the above information is, to the best of my knowledge and belief, true, correct, and complete.

Sworn to and subscribed before me
this day of , .

Seller:

Notary Public
My commission expires:

[NOTARIAL SEAL]

By: _____

Its: _____