

Genesee County Mortgage Recording Tax Extended

In Genesee County, mortgages are currently subject to the basic, additional, special additional, and Genesee County mortgage recording taxes at a rate of \$1.25 for each \$100 secured by the mortgage. The Genesee County mortgage recording tax at a rate of \$.25 for each \$100 secured by a mortgage was scheduled to expire on November 1, 2007. Genesee County has enacted legislation to extend the imposition of the Genesee County mortgage recording tax to apply to mortgages recorded prior to November 1, 2009. Therefore, the rate of mortgage recording taxes imposed on the recording of mortgages on real property located in Genesee County will continue to be \$1.25 for each \$100 secured by the mortgage.

Mortgages covering properties located in more than one locality

In certain cases, mortgaged property may be located entirely in New York State but in more than one locality. For example, the mortgaged property may be located in two or more counties. In such cases, the combined rates of tax may vary. In cases where the tax rates vary, a taxpayer may elect to compute and pay the tax as if the property were located entirely in the locality in which the greatest amount of tax is imposed. Alternatively, the taxpayer may file Form MT-15, *Mortgage Recording Tax Return*, and compute the mortgage recording tax at the applicable rate in each locality. To obtain Form MT-15, download a copy from our Web site at www.nystax.gov. The form is also available by fax at 1 800 748-FORM (3676), or you can call 1 800 462-8100 to receive a copy by mail.

NOTE: A TSB-M is an informational statement of changes to the law, regulations, or Department policies. It is accurate on the date issued. Subsequent changes in the law or regulations, judicial decisions, Tax Appeals Tribunal decisions, or changes in Department policies could affect the validity of the information presented in a TSB-M.