

# RP-5217 Real Property Transfer Reporting

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# NYSORPTS Contact Information

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- Data Management Unit

- 518-473-9791

- Office of Counsel

- 518-474-8821





# Real Property Law

## Article 9, Section 333

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- ❑ Establishes the requirement for using a state prescribed form for recording the conveyance of real property in NYS and establishes a filing fee.
  - "A recording officer shall not record or accept for record any conveyance of real property affecting land in New York state unless accompanied by a transfer report form prescribed by the State Board of Real Property and a fee..."



# Real Property Tax Law

## Section 574

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- Establishes the timetables for distribution of the filed forms to ORPTS and assessors by the counties where the forms are filed.
  - "Information to be furnished by recording officers and assessors.
    1. On or before the fifteenth day of each month, the county recording officer or such other officer or agency as may be designated by the county legislative body shall furnish to the assessors of each assessing unit in the county, to the county equalization agency through the office of the county director of real property tax services and to the state board **a report showing all transfers during the preceding calendar month of real property situated wholly or partly within such assessing unit.** Such report shall include..."



# Civil Practice Laws and Rules

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- Sub-Section 8017 excludes County and State from the payment of the filing fee, however, the RP-5217 form is required for transfers.
  - "Notwithstanding any other provision of this article or any other general, special or local law relating to fees to clerks, no clerk shall charge or collect a fee from the state, or an agency or officer thereof, for any service rendered in an action in which any of them is involved, nor shall any clerk charge or collect a fee for filing, recording or indexing any paper, document, map or proceeding filed, recorded or indexed for the county, or an agency or officer thereof acting in an official capacity, nor for furnishing a transcript, certification or copy of any paper, document, map or proceeding to be used for official purposes..."

# What is the RP-5217 - Real Property Transfer Form?

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- ❑ The RP-5217 is a form (RPL Article 9, Section 333) used to document the information associated with all real property transfers within New York State, needed for many statutory responsibilities and in support of other state and local processes and products.
  - “RP-5217” – form used for all transfers outside 5 boroughs of NYC
  - “RP-5217NYC” – form used for all transfers within the 5 boroughs of NYC.

# Statutory Responsibilities of the State Board of Real Property Tax Services

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## □ State Equalization Rates

- Annually establish equalization rates of each assessing unit
  - State Board's determination of the percentage of full value at which taxable property is assessed (LOA – Level of Assessment)
- Used to fairly apportion approximately \$19 billion in State Aid to school districts and \$35 billion in property taxes for schools and counties.

## □ STAR (School Tax Relief ) Exemptions

- Equalization Rates are used to determine STAR exemptions, resulting in an additional \$2.6 billion payment to school districts.

## □ State Assessments and Values

- Special Franchise Values, Railroad ceilings, Unit of production values (oil and gas producing property), Agricultural assessment values, Taxable State land →

# Statutory Responsibilities of the State Board of Real Property Tax Services (con't)

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- State Aid Programs
  - Annual Reassessment, Triennial, Consolidation
- Class Ratios and Rates for Special Assessing Units (Nassau County and NYC only)
  - Class ratios
    - Measure the LOA of four different classes or type of property, primarily used as evidence of the LOA in assessment grievance process
  - Class equalization rates
    - Represent the State Board's estimate of the LOA for each class in each School district segment
- Approved Assessing Units
  - Certification allows the option of using dual (homestead and non-homestead) tax rates →





# Statutory Responsibilities of the State Board of Real Property Tax Services (con't)

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- Local Service Function

- Information, instructions, forms to aid in making assessments

- Tax Mapping

- State Board must approve new tax mapping programs

- Training and Certification

- All assessors must meet minimum qualification standards, complete a course of training, obtain State certification and comply with continuing education program

# Why the 4-part RP-5217 Form & Real Property Transfer Data is distributed

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## □ State Uses

- ORPTS Data Management Unit enters, edits and updates data on their RP-5217 aggregate statewide database, used in support of state and local processes and products.

## □ Local Uses

- County and Municipal personnel enters, verifies, corrects and uses the transfer data on their local file for various local purposes.

## □ Local & State collaboration

- Local staff are ultimately responsible for review/verification of data and providing updates/corrections to ORPTS. Equalization Rate analysis involves a collaboration on data used. Ideally, the state and local records match so that the resulting local and state programs and products are based on the same data.



## State (ORPS) Uses:

# RP-5217 Real Property Transfer Data

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- ❑ Establishing Equalization Rates for tax apportionment
- ❑ Level of Assessment verifications
- ❑ Real Property Market Trends
- ❑ Supplemental Appraisals (Resid. Class A only)
- ❑ STAR exemptions
- ❑ Sales ratios for equity and uniformity analysis; RAR: Residential Assessment Ratios & COD: Coefficient of Dispersion
- ❑ State Aid eligibility criteria
- ❑ Annual Reassessment programs



## Local Uses:

# RP-5217 Real Property Transfer Data

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- ❑ Annual Reassessment programs
- ❑ Level of Assessment (LOA) determinations
- ❑ Recalibration of Neighborhood (group) boundaries
- ❑ Market Value determinations
- ❑ Sales ratio studies (equity and uniformity)
- ❑ CAMA estimate ratios studies
- ❑ Comparable Sales analysis
- ❑ Comparable sales reports for taxpayer grievance
- ❑ New owner updates to assessment roll
- ❑ Tax map changes due to parcel splits and merges

# Importance of Timely Handoffs for State and Local Uses

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## □ Example of 2009 Equalization Rate & Residential Assessment Ratio (RAR) Time Line

Standard Assessment Calendar (5/1 tentative & 7/1 final)

### ■ Use RP-5217 Sales Data through June 2008

#### □ Starting Sept. 2008

- ORPTS Market Analysis commences

#### □ Late Fall/Winter 2008/2009

- ORPTS Market Analysis Results/Pre-determination Collaboration with Local Government

#### □ During May 2009

- ORPTS Establishes Residential Assessment Ratios (RAR)
- ORPTS Receives Tentative Rolls & Establishes Tentative Eq. Rates

#### □ During July 2009

- ORPTS Receives Final Rolls and Establishes Final Eq. Rate

# County Clerk:

## RP-5217 Roles & Responsibilities



- ❑ Provide blank RP5217 forms and instructions
- ❑ Check the presented forms for completeness, **not** accuracy, including signatures.
- ❑ Provide legible deed recording information (upper left corner, items C1 through C4 of RP-5217 form).
- ❑ Collect and forward fees, monthly, to ORPTS along with the “RP-5217-Fee” Form.
- ❑ On or before the 15<sup>th</sup> day of each month, the RP-5217s from the preceding calendar month shall be distributed to the appropriate parties.
- ❑ Check ORPTS web site links (see last slide) for answer/fact sheet, filing fee and general “Sales Reporting” information.
- ❑ Contact ORPTS Data Management Unit as needed: 518-473-9791

# County Clerk:

## Check for Completeness

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- Items that must always have an entry at time of submission with deed:
  - 1. - Property Location
  - 2. - Buyer Name
  - 4. - Number of Parcels
  - 5. - Deed Property Size
  - 6. - Seller Name
  - 7. - Property Use at Time of Sale
  - 12. - Date of Sale/Transfer
  - 13. - Full Sale Price (even if 0 is entered)
  - 15. - Conditions of Transfer (if none then “None” is checked)
  - 16. - Year of Assessment Roll
  - 17. - Total Assessed Value
  - 18. - Property Class
  - 19. - School District Name
  - 20. - Tax Map Identifiers / Roll IDs
  - Certification – Buyer and Seller Information and Signatures →



# County Clerk:

## Check for Completeness (con't)

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- Items that may or may not have an entry based on circumstances of transfer:
  - 4A., 4B., 4C. – Subdivision Questions
  - 8. - Ownership Type Condo
  - 9. - New Construction on Vacant Land
  - 11. - Sale Contract Date
  - 10A., 10B. – Agricultural District Questions
  - 14. – Value of Personal Property
  - 18. – Single digit Ownership Code at end of 3-digit Property Class
  - Certification – Buyer's Attorney



# County Clerk: Check Signatures

**CERTIFICATION**  
I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provision of the penal law relative to the making and filing of false instruments.

BUYER		BUYER'S ATTORNEY	
BUYER SIGNATURE	DATE	LAST NAME	FIRST NAME
STREET NUMBER	STREET NAME (AFTER SALE)	AREA CODE	TELEPHONE NUMBER
CITY OR TOWN	STATE	ZIP CODE	
SELLER		NEW YORK STATE COPY	
SELLER SIGNATURE	DATE		

- ❑ BOTH a Buyer and Seller signature is required, NOT agents to the transfer.
- See exceptions on NYSORPTS RP-5217 Answer / Fact Sheet (identified on last slide).

# County Clerk:

## Determine RP-5217 Filing Fee

7. Check the box below which most accurately describes the use of the property at the time of sale:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> A One Family Residential      | <input type="checkbox"/> E Agricultural              | <input type="checkbox"/> I Community Service |
| <input type="checkbox"/> B 2 or 3 Family Residential   | <input type="checkbox"/> F Commercial                | <input type="checkbox"/> J Industrial        |
| <input type="checkbox"/> C Residential Vacant Land     | <input type="checkbox"/> G Apartment                 | <input type="checkbox"/> K Public Service    |
| <input type="checkbox"/> D Non-Residential Vacant Land | <input type="checkbox"/> H Entertainment / Amusement | <input type="checkbox"/> L Forest            |

**ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill**

16. Year of Assessment Roll from which information taken	17. Total Assessed Value (of all parcels in transfer)
18. Property Class	19. School District Name
20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))	

Check the boxes below as they apply:

8. Ownership Type is Condominium

☐

- ☐ Item 7, Item 8 and Item 18 (above) are used to determine the appropriate RP-5217 filing fee.
- ☐ Two distinct fees:
  - Qualifying Residential or Farm Property
  - All Other Property
- ☐ Fee details follow... →

# County Clerk:

## Determine RP-5217 Filing Fee (con't)


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- ❑ Fee is \$125 for qualifying residential or farm property
  - If the following is checked on the RP-5217:
    - ❑ Item **7A** (One Family Residential), **7B** (2 or 3 Family Residential), **7E** (Agricultural)  
or **BOTH 7G** (Apartment) **AND 8** (Condo)
  - OR**
  - ❑ Item **18** (Property Class) is **100 through 199 (Agricultural)**; or
  - ❑ Item **18** (Property Class) is **200 through 299 (Residential)**; or
  - ❑ Item **18** (Property Class) is **411-C, 411-D, 412-C or 412-D (Apartment House Condos)**
- ❑ Fee is \$250 for all other property types
- ❑ Note: The state, counties and agencies and officers thereof are exempt from the filing fee pursuant to sub-section 8017 of Civil Practice Law and Rules.

# County Clerk: Transmit Filing Fees to ORPTS

- ❑ Collect and forward fees to ORPTS monthly, along with the “RP-5217-Fee” Form (sample form on right)
- ❑ \$116 per form for qualifying residential and farm property
- ❑ \$241 per form for all other property

*Memorandum*

  
STATE OF NEW YORK  
OFFICE OF REAL PROPERTY SERVICES

TO: NYS Office of Real Property Services  
FROM: County Clerk  
SUBJECT: RP-5217 Fee

In accordance with Section 574 of the Real Property Tax Law and with subdivision 3 of Section 333 of the Real Property Tax Law, this form reports the number of RP-5217's filed and the TOTAL AMOUNT DUE (\$66.00 or \$156.00 per form). Payment should be received no later than the 15th of each month at:

NYS Office of Real Property Services  
Office of Fiscal Services  
16 Sheridan Avenue  
Albany, NY 12210-2714

COUNTY NAME \_\_\_\_\_ MONTH OF \_\_\_\_\_  
(MM/YY)

1. # RP-5217 Forms Received for Month	_____
2. # RP-5217 Received that are Exempt from Payment	_____
3. # Qualifying Residential or Farm Received with Payment	_____
4. Qualifying Residential or Farm State Fee	x \$66.00 per RP-5217
5. Amount Due for Qualifying Residential or Farm (lines 3 x 4)	_____
6. # 'All Other' Property Types Received with Payment	_____
7. 'All Other' State Fee	x \$156.00 per RP-5217
8. Amount Due for 'All Other' Property Types (lines 6 x 7)	_____
9. TOTAL AMOUNT DUE NYSCORP8 (lines 5 + 8)	_____

I hereby certify that the number of reports listed is an exact count of RP-5217 Real Property Transfer Reports recorded by this office during the previous calendar month.

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

RP-5217-FEE (rev. 5/04)

# County Clerk:

## What to enter on RP-5217 Form

FOR COUNTY USE ONLY		PROPERTY INFORMATION	
C1. SWIS Code	<input type="text"/>	1. Property Location	<input type="text"/>
C2. Date Deed Recorded	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Month / Day / Year	<input type="text"/>	<input type="text"/>
C3. Book	<input type="text"/>	CITY OR TOWN	VILLAGE
C4. Page	<input type="text"/>	<input type="text"/>	ZIP CODE

- ❑ **LEGIBLY** complete Items C1 - C4 (unless arrangements exist for County RPT Office entry).
- ❑ **Item C1: SWIS Code** uniquely identifies each County, City, Town-Outside Village (TOV) and Village in NYS, based on the entry(s) in Item 1: Property Location. Format is: "CCCTVT" where CC = County Code; CT = City/Town Code; VT = Village/TOV Code.
  - *If property is in village, ONLY enter the SWIS for the village. Do NOT enter both the Town and Village SWIS Codes.*
  - *However, if property lies in 2 different Towns then enter both SWIS Codes by stacking one over the other with SWIS for largest portion entered in hatched boxes.*
- ❑ **Item C2: Date Deed Recorded** is the date the deed for the transfer was recorded by the County Clerk. →

# County Clerk:

## What to enter on RP-5217 Form (con't)

FOR COUNTY USE ONLY		PROPERTY INFORMATION	
C1. SWIS Code	<input type="text"/>	1. Property Location	<input type="text"/>
C2. Date Deed Recorded	<input type="text"/>	STREET NUMBER	STREET NAME
	Month / Day / Year	CITY OR TOWN	VILLAGE
C3. Book	<input type="text"/>		ZIP CODE
C4. Page	<input type="text"/>		

- ❑ **Items C3 and C4 (Book & Page)** are the “Key” fields used by our systems and are CRITICAL to uniquely identify each RP-5217 record for matching/synchronizing local and state sales records.
- ❑ **Item C3: Book** refers to the numbered book or *liber* in which the county clerk records the sale deed.
- ❑ **Item C4: Page** refers to page number of the book in which the sale deed was recorded by the County Clerk.
- ❑ **Any changes to book/page numbering system for documents should be reported to the Data Management Unit promptly by calling (518) 473-9791).**



# County Clerk:

## Distribute Forms to Appropriate Parties

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- As per RPTL, Section 574
  - On or before the 15<sup>th</sup> day of each month, the RP-5217s from the preceding calendar month shall be distributed to the appropriate parties.
- Some County Clerk Offices forward 4-part RP-5217 to County RPT Office where they distribute.
- Other County Clerk Offices separate and distribute to appropriate parties.

# Help/Links for County Clerk

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- County Clerk Answer/Fact Sheet
  - <http://www.orps.state.ny.us/sales/5217FACTSMarch2009.htm>
- RP-5217 Filing Fee and Fee Form Info
  - <http://www.orps.state.ny.us/sales/deedevents.htm>
  - <http://www.orps.state.ny.us/ref/forms/pdf/rp5217fee.pdf>
- RP-5217 Sales Reporting
  - <http://www.orps.state.ny.us/sales/index.cfm>
- ORPTS Home Page
  - <http://www.orps.state.ny.us>

