BOE-65-CP (FRONT) REV. 2 (8-07)

CLAIM FOR TRANSFER OF BASE YEAR VALUE FROM QUALIFIED CONTAMINATED PROPERTY TO REPLACEMENT PROPERTY (Section 69.4 of the Revenue and Taxation Code)

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO
ASSESSOR'S OFFICE
172 West Third Street
San Bernardino, CA 92415-0310
www.sbcounty.gov/assessor

A. REPLACEMENT PROPERTY

ASSESSOR'S PARCEL NUMBER	RECORDER'S DOCUMENT NUMBER

DATE OF PURCHASE/COMPLETION OF NEW CONSTRUCTION

PURCHASE PRICE/COST OF CONSTRUCTION

PROPERTY ADDRESS *(street, city, county)*

B. ORIGINAL (FORMER) PROPERTY

ASSESSOR'S PARCEL NUMBER

DATE OF TRANSFER/SALE

ASSESSOR'S FACTORED BASE YEAR VALUE AT DATE OF TRANSFER/SALE

PROPERTY ADDRESS *(street, city, county)*

NOTE: You must attach a copy of the original property's latest tax bill and any supplemental tax bill(s) issued before the date of transfer/sale. Also, was there any new construction on this property since the issuance of those tax bill(s) and before the date of transfer/sale? ☐ Yes ☐ No

If yes, please explain: _____

C. CLAIMANT INFORMATION (PLEASE PRINT)

NAME OF CLAIMANT

I/We declare under penalty of perjury under the laws of the State of California that all information hereon is true, correct, and complete to the best of my knowledge and belief.

SIGNATURE OF CLAIMANT ▶	DATE

NAME OF LEGAL ENTITY

HOME TELEPHONE *(area code first)*	WORK TELEPHONE *(area code first)*
MAILING ADDRESS *(street, city, state, zip code)*	

If you have any questions about this form, please contact the Assessor's Office.

All information provided on this form is subject to verification.
If your application is incomplete, it may not be possible to process your claim.

GENERAL INFORMATION

California law allows an owner of a qualified contaminated property to transfer the base year value of that property to a comparable replacement property of equal or lesser value that is acquired or newly constructed after January 1, 1995. In addition, a replacement property must meet all of the following requirements: (1) It must have been acquired or newly constructed within five (5) years **after** the date of the sale or transfer; (2) it must be used in the same manner as the qualified contaminated property; and (3) a claim for relief must be filed within **three** (3) years after the replacement property is acquired or newly constructed.

Both the original property and the replacement property must be located in the **same** county. If not, the county in which the replacement property is located must have a resolution authorizing intercounty transfers under this code section.

A *qualified contaminated property* must meet all of the following:

- Residential property that is uninhabitable or nonresidential property that is unusable as a result of the environmental problems.
- Located on a site that has been designated as a toxic or environmental hazard or as an environmental clean-up site by an agency of the State of California or the federal government.
- Owned by a person or entity that did not participate or acquiesce in any act or omission that rendered the property uninhabitable or unusable. The owner cannot be related to the person or affiliated with the entity that committed the act or omission that contaminated the property.

In general, *equal or lesser value* of a replacement property means that the fair market value of the replacement property on the date of purchase or completion of new construction does not exceed:

- **105 percent** of market value of original property as if uncontaminated if a replacement property is purchased or newly constructed within the **first year** following the date of sale or transfer of the original property;
- **110 percent** of market value of original property as if uncontaminated if a replacement property is purchased or newly constructed within the **second year** following the date of sale or transfer of the original property;
- **115 percent** of market value of original property as if uncontaminated if a replacement property is purchased or newly constructed within the **third year** following the date of sale or transfer of the original property;
- **120 percent** of market value of original property as if uncontaminated if a replacement property is purchased or newly constructed within the **fourth year** following the date of sale or transfer of the original property;
- **125 percent** of market value of original property as if uncontaminated if a replacement property is purchased or newly constructed within the **fifth year** following the date of sale or transfer of the original property.

If you feel you qualify for this exclusion, you must provide evidence that (1) your property meets the definition of a qualified contaminated property, and (2) you did not participate or acquiesce in any act or omission that rendered the property uninhabitable or unusuable or are related to the person or affiliated with the entity that committed the act or omission that contaminated the property.

DECLARATION BY ASSESSEE. The declaration must be signed by the assessee, a duly appointed fiduciary, or a person authorized to sign on behalf of the assessee. In the case of a *corporation,* the declaration must be signed by an officer or an employee of the corporation authorized to sign the declaration on behalf of the corporation. In the case of a *partnership,* the declaration must be signed by a partner or an authorized employee or agent. In the case of a *limited liability company* (LLC), the declaration must be signed by an LLC manager, or by a member where there is no manager, or by an employee or agent designated by the LLC manager or by the members to sign on behalf of the LLC.

Please complete applicable information on reverse side.