



# PROPERTY TAX CLEARANCE RECORD

OFFICE OF STATE TAX COMMISSIONER

SFN 28202 (09-2017)

## Part 1 - To Be Completed by Taxpayer

|  |   |
|--|---|
| Taxpayer's name as shown on North Dakota application form, tax return, or refund claim document  |   |
| For each parcel of real property in which the taxpayer holds a 50% or more ownership interest that is located in the county, provide the property or parcel number from the county property tax statement. In addition, if the taxpayer owns a single-member limited liability company (SMLLC) that is disregarded for federal income tax purposes, and the SMLLC holds a 50% or more ownership interest in real property located in the county, provide the property or parcel number for that property and the name of the SMLLC. <b>If there are more than three parcels that meet this condition, attach a separate statement.</b> |   |
| Property or parcel number from property tax statement  | Name on property tax statement, if different from taxpayer's name above |
| _____  | _____   |
| _____  | _____   |
| _____  | _____   |

## Part 2 - To Be Completed by County Auditor's or Treasurer's Office

|  |       |
|--|-------|
| Name of County   |       |
| <b>I certify that the records for the above-named county show that, on the date reviewed, there is no delinquent property tax owed on any parcel of real property identified in Part 1 of this form.</b> |       |
| Signature of authorized person in county auditor's or treasurer's office   | Date  |
| Printed name of person signing this form   | Title |

### Purpose of form

Use this form to satisfy the property tax clearance record requirement under North Dakota Century Code § 57-01-15.1.

After July 31, 2017, certain state and local tax incentives listed under North Dakota Century Code § 54-35-26 may not be granted to, or claimed by, a taxpayer unless the taxpayer has satisfied all state and local tax obligations and tax liens of record for taxes owed to North Dakota or a political subdivision. The listed state tax incentives are shown on page 2 of this form.

**Property tax clearance record.** Before a listed state tax incentive may be granted or claimed, a taxpayer must obtain a property tax clearance record from each North Dakota county in which the taxpayer holds a 50 percent or more ownership interest in real property. The property tax clearance record(s) must be attached to the applicable state tax form - see "Applicable state tax form."

If the taxpayer is a corporation or a passthrough entity, the property tax clearance record requirement also applies to any officer, partner, governor, or managing member responsible for the business's tax obligations if that person holds a 50 percent or more ownership interest in real

property in North Dakota. A passthrough entity means a partnership, S corporation, or limited liability company treated like a partnership or S corporation.

**Applicable state tax form.** The required property tax clearance record(s) for the taxpayer and, if applicable, any responsible officer, partner, governor, or managing member must be attached to the applicable state tax form filed with the Office of State Tax Commissioner. An "applicable state tax form" means the North Dakota application form, tax return, or other document on which the taxpayer applies for or claims a listed state tax incentive.

A new property tax clearance record must be obtained and attached to the North Dakota tax return filed for each year the listed state tax incentive is claimed or to each new claim for refund.

If a taxpayer electronically files a North Dakota tax return, the property tax clearance record should be submitted as a PDF attachment to the return. If a taxpayer is not able to provide a PDF attachment, the taxpayer must retain the property tax clearance record and make it available upon request.

### Instructions to taxpayer

Complete Part 1 of this form. Then mail, fax, or take the form to the county auditor's or treasurer's office for the North Dakota county from which the property tax clearance record is required. Complete a separate form for each county from which a property tax clearance record is required.

If there is no property tax delinquency on the parcel(s) listed in Part 1, the county will complete and sign Part 2. **The county will not complete Part 2 if there is a property tax delinquency on any listed parcel.** This form, if completed and signed by the county, constitutes the property tax clearance record that must be attached to the applicable state tax form.

### Instructions to county

Please review your records to see if there is a property tax delinquency with respect to any parcel of real property identified in Part 1. This does not include property tax due that the taxpayer elected to pay in installments. If there is no property tax delinquency on the listed parcel(s), complete and sign Part 2. **Do not complete or sign Part 2 if there is a property tax delinquency on any listed parcel.** Whether or not you are able to complete this part, return the form to the taxpayer.

### Need assistance?

See page 2 for contact information.

**State Income and Sales Tax Incentives Subject to Property Tax Clearance Record Requirement**

The state income and sales tax incentives subject to the property tax clearance requirement are listed below along with their statutory references in the North Dakota Century Code. If you have any questions about a specific incentive or the use of this form, contact our office at the number or email address shown. If speech or hearing impaired, call Relay ND at 1.800.366.6888.

| <b>Income tax incentives</b>   | <b>Phone number</b> | <b>Email</b>         |
|--|---------------------|----------------------|
| Agricultural commodity processing facility investment tax credit (Ch. 57-38.6)                                     | 701-328-1247        | individualtax@nd.gov |
| Angel fund investment tax credit (§ 57-38-01.26; <b>effective before 7/1/2017</b> )                                | 701-328-1247        | individualtax@nd.gov |
| Angel investor investment tax credit (§ 57-38-01.26; <b>effective after 6/30/2017</b> )                            | 701-328-1247        | individualtax@nd.gov |
| Biodiesel fuel blending tax credit (§ 57-38-01.22)   | 701-328-1249        | corptax@nd.gov       |
| Biodiesel fuel equipment tax credit (§ 57-38-01.23)  | 701-328-1249        | corptax@nd.gov       |
| Biodiesel fuel production facility construction or retrofit tax credit (§ 57-38-30.6)                              | 701-328-1249        | corptax@nd.gov       |
| Internship program tax credit (§ 57-38-01.24)  | 701-328-1247        | individualtax@nd.gov |
| Manufacturing automation equipment tax credit (§ 57-38-01.33)  | 701-328-1249        | corptax@nd.gov       |
| New or expanding business income exemption (Ch. 40-57.1)   | 701-328-1249        | corptax@nd.gov       |
| Renaissance zone income exemptions and tax credits (Ch. 40-63)   | 701-328-1247        | individualtax@nd.gov |
| Research expense tax credit (§ 57-38-30.5)   | 701-328-1249        | corptax@nd.gov       |
| Seed capital investment tax credit (Ch. 57-38.5)   | 701-328-1247        | individualtax@nd.gov |
| Soybean or canola crushing facility construction or retrofit tax credit (§ 57-38-30.6)                             | 701-328-1249        | corptax@nd.gov       |
| Workforce recruitment tax credit (§ 57-38-01.25)   | 701-328-1247        | individualtax@nd.gov |
| <b>Sales tax incentives</b>  |                     |                      |
| Manufacturing and recycling equipment exemption (§ 57-39.2-04.3)   | 701-328-1246        | salestax@nd.gov      |
| Fertilizer or chemical processing facility construction materials exemption (§ 57-39.2-04.15)                      | 701-328-1246        | salestax@nd.gov      |
| Exemption for materials relating to carbon dioxide usage in enhanced oil or natural gas recovery (§ 57-39.2-04.14) | 701-328-1246        | salestax@nd.gov      |
| Qualified data center information technology equipment and computer software exemption (§ 57-39.2-04.13)           | 701-328-1246        | salestax@nd.gov      |