NOTICE OF RESCISSION OF CLAIM TO TRANSFER BASE YEAR VALUE TO **REPLACEMENT DWELLING** 



Steve J. Bestolarides Assessor-Recorder-County Clerk San Joaquin County

44 N San Joaquin Street Suite 230 Stockton, CA 95202-3273 Telephone (209) 468-2658 www.sjgov.org/assessor\_recorder

| ASSESSOR'S PARCEL NUMBER   | REPLACEMENT DV   | VELLING  |  |                                  |  |
|--|--|--|--|----------------------------------|--|
| \$       \$         PROPERTY ADDRESS (MINAL CLAIM YWAS FILED   | ASSESSOR'S PARCEL NUMBER   |  | RECORDER'S DOCUMENT NUMBER   | RECORDER'S DOCUMENT NUMBER       |  |
| \$       \$         PROPERTY ADDRESS (MINAL CLAIM YWAS FILED   |  |  |  |                                  |  |
| PROPERTY ADDRESS (survex, cay, coundy, same, zay could)         DATE ORIGINAL CLAIM WAS FILED         CLAIMANT INFORMATION (please print)         NAME OF SPOUSE (provide if the spouse is a preced owner of either the original property or the implagment dealing)       SOGM/ SECURITY NUMBER         NAME OF SPOUSE (provide if the spouse is a preced owner of either the original property or the implagment dealing)       SOGM/ SECURITY NUMBER         Please check the box under which you are filing this Notice of Rescission.   | DATE OF PURCHASE   | PURCHASE PRICE   | DATE OF COMPLETION OF NEW CONSTRUCTION   | COST OF NEW CONSTRUCTION         |  |
| DATE ORIGINAL CLAW WAS FILED         CLAIMANT INFORMATION (please print)         NAME OF CLAMMANT         NAME OF CLAMMANT         SOCIAL SECURITY NUMBER         Please check the box under which you are filing this Notice of Rescission:         (1) This Notice of Rescission must be filed with the Assessor:         • Before the date the county first issues a refund check for the property taxes on the transferred base year value.         • If a refund is not applicable, before any property taxes on the new transferred base year value.         • If taxes have not been paid, before any property taxes on the new transferred base year value.         • Within 6 years after relief was granted, and         • The replacement property was vacated as the principal place of residence within 90 days after the original claim was filed.         CLAMMANT S SIGNATURE       DATE         >       SOCIAL SECURITY NUMBER         NUME certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing, and all information hereon, is true, correct, and complete to the best of my/our knowledge and belief.         CLAMMANT S SIGNATURE       DATE         >       DATE         INME PHONE NUMBER       DATE                                    |  | \$   |  | \$                               |  |
| CLAIMANT INFORMATION (please print)         NME OF CLAIMANT       Social Security NUMBER         NAME OF SPOUSE (provide if the spouse is a spoord owner of where the original property or the replacement dealling)       SOCIAL SECURITY NUMBER         Please check the box under which you are filing this Notice of Rescission:   | PROPERTY ADDRESS (street, cit  | ty, county, state, zip code)   |  |                                  |  |
| CLAIMANT INFORMATION (please print)         NME OF CLAIMANT       Social Security NUMBER         NAME OF SPOUSE (provide if the spouse is a spoord owner of where the original property or the replacement dealling)       SOCIAL SECURITY NUMBER         Please check the box under which you are filing this Notice of Rescission:   |  |  |  | _                                |  |
| NAME OF CLAIMANT       SOCIAL SECURITY NUMBER         NAME OF SPOUSE (provide if the spouse is a record owner of either the original property or the replacement dwelling)       SOCIAL SECURITY NUMBER         Please check the box under which you are filing this Notice of Rescission:   | DATE ORIGINAL CLAIM WAS FIL  | ED   |  |                                  |  |
| NAME OF SPOUSE (provide if the species is a record owner of either the original property or the replacement dwelling)       SOCIAL SECURITY NUMBER         Please check the box under which you are filing this Notice of Rescission:       (1) This Notice of Rescission must be filed with the Assessor:       Before the date the county first issues a refund check for the property taxes on the transferred base year value.         If a refund is not applicable, before any property taxes are paid on the new transferred base year value.       If taxes have not been paid, before any property taxes on the new transferred base year value.         OR       (2) This Notice of Rescission must be filed with the Assessor:       Within 6 years after relief was granted, and         • The replacement property was vacated as the principal place of residence within 90 days after the original claim was filed.       Detertify (or declare) under penalty of perjury under the laws of the State of California that the foregoing, and all information hereon, is true, correct, and complete to the best of my/our knowledge and belief.         CLAMMANTS SIGNATURE       DATE         PROUSE'S SIGNATURE       DATE         HOME PHONE NUMBER       DATE         HOME PHONE NUMBER       DATE | CLAIMANT INFORM  | IATION (please print)  |  |                                  |  |
| Please check the box under which you are filing this Notice of Rescission:         (1) This Notice of Rescission must be filed with the Assessor:         • Before the date the county first issues a refund check for the property taxes on the transferred base year value.         • If a refund is not applicable, <i>before</i> any property taxes are paid on the new transferred base year value.         • If a refund is not applicable, <i>before</i> any property taxes on the new transferred base year value.         • If taxes have not been paid, <i>before</i> any property taxes on the new transferred base year value become delinquent.         OR         (2) This Notice of Rescission must be filed with the Assessor:         • Within 6 years after relief was granted, and         • The replacement property was vacated as the principal place of residence within 90 days after the original claim was filed.         CLENTRICATION         I/We certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing, and all information hereon, is true, correct, and complete to the best of my/our knowledge and belief.         SPOUSE'S SIGNATURE       DATE         HOME PHONE NUMBER       DATE         I/Whe PHONE NUMBER       DATE   | NAME OF CLAIMANT   |  |  | SOCIAL SECURITY NUMBER           |  |
| <ul> <li>(1) This Notice of Rescission must be filed with the Assessot:         <ul> <li>Before the date the county first issues a refund check for the property taxes on the transferred base year value.</li> <li>If a refund is not applicable, before any property taxes are paid on the new transferred base year value.</li> <li>If taxes have not been paid, before any property taxes on the new transferred base year value become delinquent.</li> </ul> </li> <li>OR         <ul> <li>(2) This Notice of Rescission must be filed with the Assessor:                 <ul> <li>Within 6 years after relief was granted, and</li> <li>The replacement property was vacated as the principal place of residence within 90 days after the original claim was filed.</li> </ul> </li> <li>I/We certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing, and all information hereon, is true, correct, and complete to the best of my/our knowledge and belief.</li> </ul> </li> <li>CLAMMATTS SIGNATURE         <ul> <li>DATE</li> <li>HOME PHONE NUMBER</li> <li>DATE</li> <li>DATE</li> <li>INME PHONE NUMBER</li> <li>DATE</li> <li>INME PHONE NUMBER</li> <li>DATTIME PHONE NUMBER</li></ul></li></ul>  | NAME OF SPOUSE (provide if the   | e spouse is a record owner of either the or                          | riginal property or the replacement dwelling)  | SOCIAL SECURITY NUMBER           |  |
| <ul> <li>If a refund is not applicable, <i>before</i> any property taxes are paid on the new transferred base year value.</li> <li>If taxes have not been paid, <i>before</i> any property taxes on the new transferred base year value become delinquent.</li> <li>OR         <ul> <li>(2) This Notice of Rescission must be filed with the Assessor:                 <ul></ul></li></ul></li></ul>   |  |  |  | E!                               |  |
| The replacement property was vacated as the principal place of residence within 90 days after the original claim was filed.      CERTIFICATION  I/We certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing, and all information hereon, is true, correct, and complete to the best of my/our knowledge and belief.  CLAIMANT'S SIGNATURE  POUSE'S SIGNATURE  HOME PHONE NUMBER  ()  | <ul> <li>If a refund is not set in the set of the set o</li></ul> | ot applicable, <i>before</i> any<br>lot been paid, <i>before</i> any | property taxes are paid on the new transfe<br>property taxes on the new transferred base | rred base year value.            |  |
| I/We certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing, and all information hereon, is true, correct, and complete to the best of my/our knowledge and belief.         CLAIMANT'S SIGNATURE       DATE         SPOUSE'S SIGNATURE       DATE         HOME PHONE NUMBER       DAYTIME PHONE NUMBER         ()       ()   | The replacement  | -  | as the principal place of residence <i>within</i> S                                      | 00 days after the original claim |  |
| information hereon, is true, correct, and complete to the best of my/our knowledge and belief.         CLAIMANT'S SIGNATURE         >         >         SPOUSE'S SIGNATURE         DATE         HOME PHONE NUMBER         ()         DATE  |  |  | CERTIFICATION  |                                  |  |
| SPOUSE'S SIGNATURE     DATE       HOME PHONE NUMBER     DAYTIME PHONE NUMBER       ( )     ( )   |  |  |  |                                  |  |
| HOME PHONE NUMBER     DAYTIME PHONE NUMBER       ( )     ( )   | CLAIMANT'S SIGNATURE   |  |  | DATE                             |  |
| HOME PHONE NUMBER     DAYTIME PHONE NUMBER       ( )     ( )   |  |  |  |                                  |  |
| ( )  | SPOUSE'S SIGNATURE   |  |  | DATE                             |  |
| ( )  |  |  |  |                                  |  |
| ()     ()       MAILING ADDRESS (including zip code)     E-MAIL ADDRESS  | HOME PHONE NUMBER  |  |  | DAYTIME PHONE NUMBER             |  |
| MAILING ADDRESS (including zip code)   | ( )  |  |  | ( )                              |  |
|  | MAILING ADDRESS (including zip   | o code)  |  | E-MAIL ADDRESS                   |  |

All information provided on this form is subject to verification. IF YOUR APPLICATION IS INCOMPLETE, YOUR NOTICE OF RESCISSION MAY NOT BE PROCESSED. THIS NOTICE IS NOT SUBJECT TO PUBLIC INSPECTION



## **GENERAL INFORMATION**

## (A fee may be required to process this document.)

California law allows any person who is at least 55 years of age (at the time of sale of original/former property) who resides in a property eligible for the homeowners' exemption (place of residence) or currently receiving the disabled veterans' exemption to transfer the base year value of the original property to a replacement dwelling of equal or lesser value. The replacement dwelling must be purchased or newly constructed within two years of the sale of the original property. A claim must be filed with the Assessor within three years of the date the replacement dwelling is purchased or new construction of that replacement dwelling is completed.

A claimant may rescind their previously filed claim for a base year value transfer. A claim may be rescinded according to Revenue and Taxation Code section 69.5(i) if this notice of rescission, signed by the original claimant(s), is delivered to the Assessor's office (where the claim was filed) before any of the following have occurred:

- The county first issues a refund check for the property taxes on the transferred base year value.
- If a refund is not applicable, before property taxes are paid on the new transferred base year value.
- If taxes have not been paid, before property taxes on the new transferred base year value become delinquent.

Beginning January 1, 2001, a claimant may rescind their previously filed claim for a base year value transfer if the replacement dwelling was vacated as the claimant's principal place of residence within 90 days after the date the original claim for a base year value was filed, and this notice of rescission is filed with the Assessor within six years after the relief was granted. *Within six years after the relief was granted* means within six years from the date the county issues a refund check or property taxes are paid on the new transferred base year value.

If this rescission increases the base year value of a property, or the homeowners' exemption has been incorrectly allowed, appropriate escape assessments or supplemental assessments, including interest as provided in section 506, shall be imposed. The statue of limitations for any escape or supplemental assessment will not commence until July 1 of the assessment year in which the notice of rescission is filed with the Assessor.

If a claim is successfully rescinded, then the base year value from the original property may be transferred to another property as long as the second property also meets all the requirements of section 69.5: (1) The replacement dwelling (land and improvements) must have been acquired or newly constructed within two years of the sale of the original property; (2) the replacement dwelling is of equal or lesser value than the original property; (3) a claim for relief must be filed within three years of the date the replacement dwelling is purchased or new construction of that replacement dwelling is completed.

**PLEASE NOTE:** Transfers between counties are allowed only if the county in which the replacement dwelling is located has passed an authorizing ordinance. The acquisition of the replacement dwelling must occur on or after the date specified in the county ordinance.

(Please complete applicable information on reverse side.)

