

LDD Support Memo

Prescribed Information Form for the Purposes of Section 5.0.1 (*Land Transfer Tax Act*) and Non-Resident Speculation Tax

The following updates have been made to RealtiWeb for purchase transactions:

1. Land Transfer Tax Affidavit and Screen

The Land Transfer Tax ("LTT") Affidavit in paper format and LTT screen in RealtiWeb have been updated to include:

- a. The following **Land Transfer Tax - Prescribed Information for the Purposes of Section 5.0.1** ("PIPS") statements (paragraph 5 of the LTT Affidavit):
 - ☐ The information prescribed for purposes of section 5.0.1 is required to be provided for this conveyance.
 - ☐ A Prescribed information for Purposes of Section 5.0.1 form will be submitted to the Ministry of Finance.
 - ☐ The information prescribed for purposes of section 5.0.1 is not required to be provided for this conveyance.
- b. The following statements for the **Non-Resident Speculation Tax** ("NRST") (paragraph 6 of the LTT Affidavit):
 - ☐ The Non-Resident Speculation Tax applies to this transfer.
 - ☐ The Non-Resident Speculation Tax does not apply to this transfer, because the binding agreement of purchase and sale was signed on or before April 20, 2017.
 - ☐ The Non-Resident Speculation Tax does not apply to this transfer because no transferee is a foreign entity or a taxable trustee.
 - ☐ The Non-Resident Speculation Tax does not apply to this transfer, because the Property does not contain at least one and not more than six single family residences.
 - ☐ The Non-Resident Speculation Tax does not apply to this transfer, because the property is not located in a geographical area in which the Non-Resident Speculation Tax is levied.
 - ☐ The Non-Resident Speculation Tax does not apply to this transfer because the Transferees are not subject to the NRST.

These forms have been added/updated for manual submission to the Ministry of Finance where Land Transfer Tax and/or Non Resident Speculation Tax is being paid directly to the Ministry.

LDD Support Memo

2. Calculation of NRST

- A checkbox has been added on the LTT screen in RealtiWeb to indicate whether the Non-Resident Speculation Tax ("NRST") is applicable to the transaction.
- If NRST is applicable, you have the option of apportioning a percentage of the Value of Consideration to the 1-6 residential dwelling component of the property in the field provided. This field will default to a 100% apportionment. NRST will be calculated on the percentage of the Value of Consideration applicable to the 1-6 residential dwelling component.

3. Trust Statement and Closing Funds Summary Screens

- The total of net LTT payable, net MLTT payable and Toronto Administration Fee (if applicable), plus NRST will be included in the land transfer tax amount in the Closing Funds Summary and Trust Statement screens in RealtiWeb.
- Alternatively, if any of these amounts are not being paid from the lawyer's trust account, remove the total amount from the Trust Statement and Closing Funds Summary by removing the checkmark for Land Transfer Tax in the auto-include box located in the top right corner of the Land Transfer Tax screen in RealtiWeb.
- You can re-introduce each component of the total LTT previously removed by selecting one or more of the following individual payment types from the list in the Paid section on the Trust Statement screen and then manually add the amounts for each:
 - Net LTT
 - Net MLTT
 - Non-Resident Speculation Tax
 - Toronto LTT Administration Fee

4. New Documents Added

New documents have been added to the Polaris Documents (English) section on the Documents tab:

- Land Transfer Tax - Prescribed Information for the Purposes of Section 5.0.1 ("PIPS"); and
- Land Transfer Tax - Authorizing or Cancelling a Representative
- Municipal Land Transfer Tax - Authorizing or Cancelling a Representative

These documents are pre-populated with information available in the RealtiWeb file, but will also require manual input after you merge them. For instance, the Land Transfer Tax Authorizing or Cancelling a representative form will merge for each transferee and will include:

LDD Support Memo

- Part 1 - Client Information
- Part 2 - Authorizing a Representative (includes the lawyer acting on the transaction)

The balance of these forms should be completed manually.

5. Effect on Existing Documents

The following RealtiWeb precedents have been amended to include references to NSRT, if applicable:

- Trust Statement - Separate Clauses
- Condominium Retainer Letter (New Home)
- Purchaser - Initial Letter

If you have customized any documents for your firm that uses this information, you may wish to revise them to reflect the changes detailed in this document.

Have questions on the NRST and LTT?

To help lawyers take steps to comply with the recent changes to the Land Transfer Tax and the new Non-Resident Speculation Tax (NRST), **LAWPRO** has assembled a list of answers to the questions they are hearing most frequently from Ontario lawyers. [View the answers here.](#)

For more information

As always, our dynamite support team is available at [1-800-363-2253](tel:1-800-363-2253) or support@lawyerdonedeal.com if you have any questions.