



FORM REW-5
MAINE REVENUE SERVICES
INCOME/ESTATE TAX DIVISION - REW
P.O. Box 1064
Augusta, ME 04332-1064
Tel. 207-626-8473 Fax 207-624-5062
Email: realestate.withholding@maine.gov

**REQUEST FOR EXEMPTION OR REDUCTION IN WITHHOLDING OF MAINE INCOME TAX ON
THE DISPOSITION OF MAINE REAL PROPERTY**

This form must be submitted and granted prior to closing. No exemptions or reduced withholding certificates will be granted after the closing date.

Applicant (seller) name: _____
Mailing address _____
SSN or Fed. EIN: _____ Daytime phone no. _____

This is a request for a withholding rate reduction/exemption, per the Internal Revenue Code as operative under 36 M.R.S.A. § 5250-A, or the provision of any United States treaty because the State of Maine tax liability on this sale will be less than the withholding. The rate of withholding is 2.5% of total consideration or, at the request of the seller, the State Tax Assessor may prescribe a reduced amount of withholding, equal to the gain multiplied by 8.5%.

1. Attach a draft copy of the current Maine Real Estate Transfer Tax Declaration. If this form is not attached, Maine Revenue Services will be unable to process your request. Contact your real estate escrow person (usually your real estate agent, title company or attorney) for assistance in acquiring this form.
2. Date property acquired _____. Method of acquisition (purchase, gift, inheritance other/explain) _____
3. Estimated date of closing on the property subject to the real estate withholding requirement (i.e., the property listed on related Form REW-1, line 9): _____
4. Total sales price of pending sale: _____
\$ _____
If rental/commercial use during your ownership, length of time: years _____ months _____
5. List all uses of property during your ownership: (i.e., principal residence, rental, commercial, vacation home, etc.) _____
- 6.* Explain your gain/loss for this property for the year of sale, including an explanation of your adjusted basis computation per IRS rules. _____

- 7.* Which IRS rule do you intend to follow to report the sale of property (i.e., exclusion of capital gain on principal residence, like kind exchange, installment sale, etc.) _____

- 7A.* How do you qualify for this rule (list the highlights of this rule and how they relate to your sale). _____

8. Attach copies of supporting documentation (i.e., proof of purchase price, notarized affidavit of intent to follow a nonrecognition of gain rule, etc.).

* Consult the Internal Revenue Service or your tax preparer for assistance in completing lines 6 through 7A. Complete lines 7 and 7A only if you have a gain on line 6 and intend to follow a nonrecognition of gain rule or qualify to reduce this gain for the year of sale per the Internal Revenue Code. Call this office for assistance in completing this form.

Under penalties of perjury, I declare that I have examined this application and attached schedules and statements, and to the best of my knowledge and belief they are true, correct and complete. You must have power of attorney to sign this form if you are not the applicant. Do not forward the power of attorney to this office.

Signed: _____ Title: _____
Print name: _____ Date: _____