



\$75.00 tax to go into effect January 1, 2018

Effective January 1, 2018, documents accepted for recording at the Contra Costa County Recorder's Office may be charged an additional \$75.00 to support the Building Homes and Jobs Act (Gov. Code §27388.1).

The State Legislature passed, and the Governor signed, Senate Bill 2 enacting the Building Homes and Jobs Act. The Act taxes specified recorded documents to raise money to fund affordable housing projects. It requires the County Recorder to collect the new tax and send it to the State.

The new tax will add \$75.00 per title to the first three titles of a transaction not to exceed \$225.00 per transaction. This is on top of the regular recording fees that must be paid.

Only an expressly limited number of statutory exemptions exist regarding the collection of this tax. When an exemption is applicable, a valid declaration of the exemption must be placed on the face of the document, or on a document cover page, prior to depositing it with the Recorder. If a valid exemption is not declared, the tax will be assessed and collected. The following are samples of applicable statutory exemptions that may apply:

- The document is not related to real property - Gov. Code §27388.1(a)(1)
- The document is recorded concurrently and in connection with a transfer that is subject to the imposition of documentary transfer tax - Gov. Code §27388.1(a)(2)
- The document is a transfer of real property that is a residential dwelling to an owner-occupier - Gov. Code §27388.1(a)(2)
- The document is recorded concurrently and in connection with a transfer of real property that is a residential dwelling to an owner-occupier - Gov. Code 27388.1(a)(2)
- Maximum tax of \$225 reached - Gov. Code §27388.1(a)(1)

Want to learn more about the law?

