

**New York State Department of Taxation and Finance
Taxpayer Services Division
Technical Services Bureau**

TSB-M-89 (3.2)R
Real Estate Transfer Tax
January 16, 1996

1989 Amendments to the
Real Estate Transfer Tax

This memorandum supplements TSB-M-89-(3)R, issued June 12, 1989, which provided a brief summary of the various Real Estate Transfer Tax (transfer tax) amendments enacted in 1989. Some of the provisions described in that TSB-M have since been amended.

Specifically, section 1409 of the transfer tax, pertaining to the filing of the transfer tax return, was amended in 1992. For more information on the 1992 amendments, see TSB-M-92(3)-R.

In addition, section 1410(a), pertaining to the payment of the transfer tax, was amended in 1989. TSB-M-89-(3.1)-R was issued to notify taxpayers of that change. However, because of further changes in 1990, TSB-M-89- 3.1)-R is obsolete and should no longer be relied upon. For information on the 1990 amendments to the payment provisions for transfer tax, see TSB-M-90(3)-R.

Section 1401(e), which defines the term "conveyance," has also been amended since TSB-M-89-(3)R was issued. Under amendments made in 1992, the definition of conveyance excludes a conveyance pursuant to devise, bequest or inheritance for conveyances occurring on or after July 1, 1989.

Also, section 1402, dealing with the imposition of the transfer tax, was amended in 1994. See TSB-M-94(4)-R for information on the imposition of transfer tax on real estate investment trust transfers.