

2008

# Real Estate Withholding Installment Sale Agreement

593-I

(This form can only be completed by the buyer. This is not a remittance document.)

**Part I – Buyer’s Information**

Return this form to your real estate escrow person.

Name			SSN or ITIN
Spouse's/RDP's Name (if jointly purchased)			Spouse's/RDP's SSN or ITIN (if jointly purchased)
Address (including apt./suite, room, PO Box, or PMB no.)			<input type="checkbox"/> FEIN <input type="checkbox"/> CA Corp no.
City	State	ZIP Code	Daytime telephone number (     )
Property address (if no street address, provide parcel number and county)			

**Part II – Seller’s Information**

Name			SSN or ITIN
Spouse's/RDP's Name (if jointly purchased)			Spouse's/RDP's SSN or ITIN (if jointly owned)
Address (including apt./suite, room, PO Box, or PMB no.)			<input type="checkbox"/> FEIN <input type="checkbox"/> CA Corp no.
City	State	ZIP Code	Installation Withholding Percent    Apply this percent to all installment payments. _____ . _____ %

**Part III – Installment Agreement**

Attach to Form 593-I a copy of the signed promissory note (showing the installment payment requirement). If the seller has elected and certified the Optional Gain on Sale withholding amount, also attach an executed copy of seller's certification of Form 593, Real Estate Withholding Tax Statement, to Form 593-I.

**Part IV – Buyer’s Agreement to Withhold** (Be sure to read the “Buyer” information below before you sign.)

Under penalties of perjury, I hereby agree to withhold on the principal portion of each installment payment for the above shown California real property to the above seller at the rate of 3 1/3% or the Optional Gain on Sale withholding percentage, as specified by the seller on Form 593, of the principal portion of each installment payment. I will complete Form 593, Real Estate Withholding Tax Statement, for the principal portion of each installment payment and send one copy of each to the Franchise Tax Board along with the withholding payment, and give one copy of Form 593 to the seller. I will send each withholding payment to the Franchise Tax Board by the 20th day of the month following the month of the installment payment. If the terms of the installment sale, promissory note, or payment schedule change, I will promptly inform the Franchise Tax Board. I understand that the Franchise Tax Board may review relevant escrow documents to ensure withholding compliance. I also understand that completing and signing this form will subject me to withholding penalties if I do not withhold on the principal portion of each installment payment and do not send the withholding along with Form 593 to the Franchise Tax Board by the due date, or if I do not send one copy of Form 593 to the seller by the due date.

Buyer's name (if the buyer is not an individual, buyer's agent's name and title) (type or print) \_\_\_\_\_

Buyer's signature \_\_\_\_\_ Date: \_\_\_\_\_

Buyer's spouse's/RDP's name (if on title) \_\_\_\_\_

Buyer's spouse's/RDP's signature (if applicable) \_\_\_\_\_ Date: \_\_\_\_\_

**Buyer:** If you sign this agreement, make a copy of this form. Make sure you copy both sides so you will have the instructions for withholding on subsequent payments. Give the original along with copies of the promissory note and seller's certified Form 593 to your real estate escrow person who should mail them in to the Franchise Tax Board. Your real estate escrow person will withhold on the first installment payment. You must withhold on all subsequent installment payments (including payoff or balloon payments). Do not complete this form unless you are willing to either withhold 3 1/3% or the Optional Gain on Sale withholding percentage, as specified by the seller on Form 593, for each installment payment. Complete Form 593, and mail the documents and payment to the FTB for the principal portion of each installment payment.

This agreement is between the buyer and the Franchise Tax Board. Neither the seller nor the buyer may modify the terms of the agreement.

If you choose not to sign this agreement, instruct your real estate escrow person to withhold either the full 3 1/3% of the total sales price or the Optional Gain on Sale withholding amount certified by the seller on Form 593. You will not be required to withhold on subsequent installment payments.

**Real Estate Escrow Person:** If this form is completed and signed, withhold only on the first installment payment in escrow. Make a copy of this form for your records. Attach the original Form 593-I, a copy of the promissory note, and seller's certified Form 593, and send to the Franchise Tax Board with the withholding payment.