



NEVADA DEPARTMENT OF TAXATION
Division of Local Government Services

REAL PROPERTY TRANSFER TAX

1st QUARTER FY 2015-2016
REPORT

July 1, 2015 to September 30,
2015

Division of Local Government Services

REAL PROPERTY TRANSFER TAX

Fiscal Year 2015-2016 REPORT July 1, 2015 to September 30, 2015

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RESULTS

Background

The Real Property Transfer Tax (RPTT) is collected in each county when deeds¹ are presented for recording, with some exceptions². Tax rates vary in each county³ and range from \$1.95 to \$2.55 per \$500 of value⁴ or fraction thereof. The amounts collected are then distributed to various funds at the county and State levels. The statutes related to RPTT are contained in Nevada Revised Statutes (NRS) Chapter 375. The regulations for the tax are contained in Nevada Administrative Code (NAC) Chapter 375. For a more complete description of the tax, please refer to the next section, Administration of the Real Property Transfer Tax.

Tax Totals

The following table shows the total tax⁵ by county for the first quarter of Fiscal Year 2015-16 (FY15-16) (July 1, 2015 to September 30, 2015). Approximately 93.48% (~\$34.06 million) of the total tax (~\$36.43 million) for the 1st Quarter of FY15-16 relates to transactions in Clark County and Washoe County.

County	1st Quarter FY15-16	1st Quarter %
TOTAL	\$36,434,269.40	100.00%
CLARK	\$28,568,550.75	78.41%
WASHOE	\$5,491,203.80	15.07%
DOUGLAS	\$838,094.60	2.30%
LYON	\$362,896.95	1.00%
ELKO	\$279,692.40	0.77%
CARSON CITY	\$305,350.50	0.84%
NYE	\$200,177.25	0.55%
HUMBOLDT	\$68,168.10	0.19%
CHURCHILL	\$89,097.10	0.24%
STOREY	\$113,076.60	0.31%
PERSHING	\$23,996.70	0.07%
LANDER	\$21,972.60	0.06%
WHITE PINE	\$38,331.15	0.11%
LINCOLN	\$14,435.85	0.04%
EUREKA	\$9,482.85	0.03%
MINERAL	\$8,022.30	0.02%
ESMERALDA	\$1,719.90	0.00%

¹ Per NRS 375.010(1)(b) a deed essentially means any instrument that transfers real property, regardless of the name of the document, with certain exceptions.

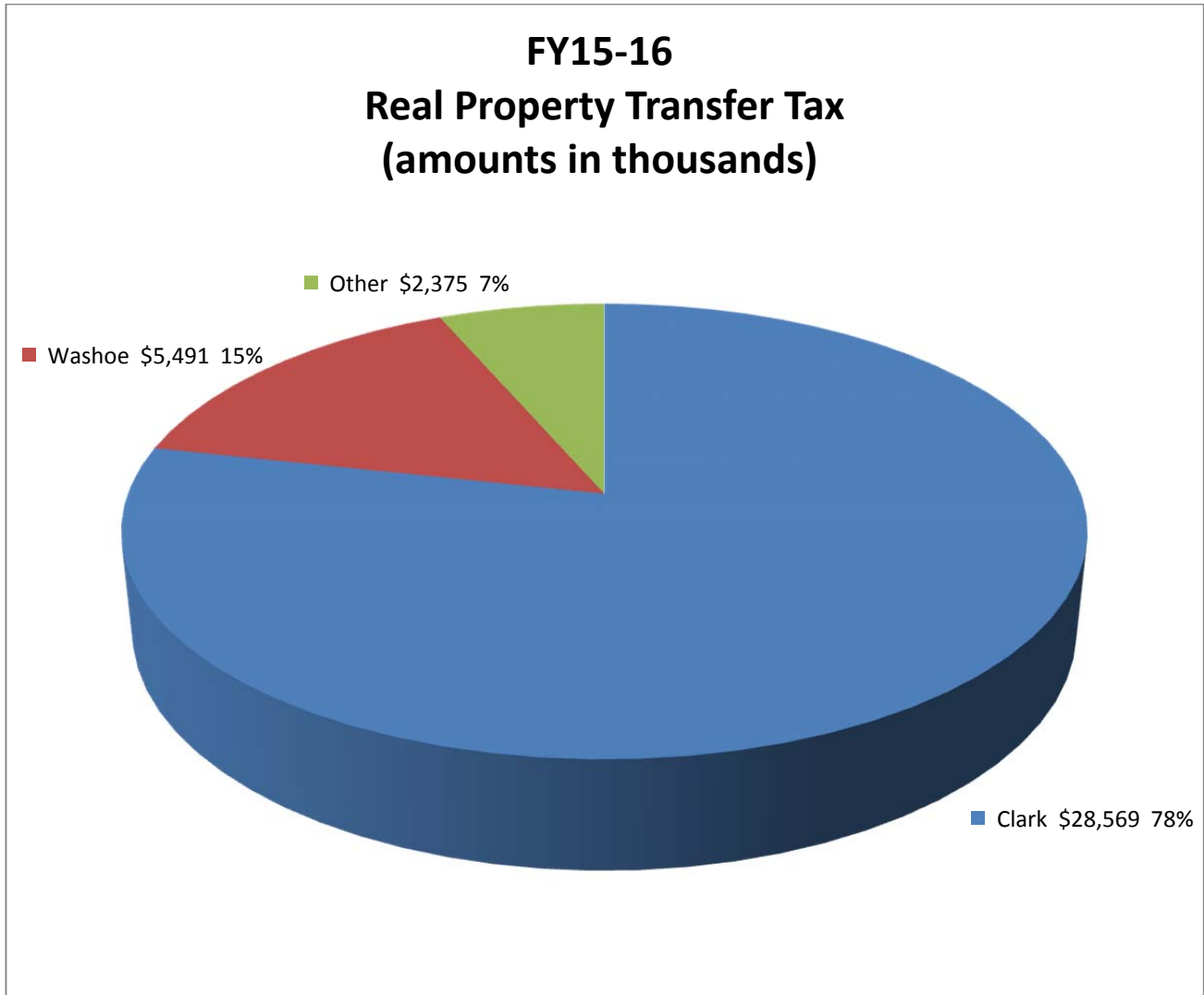
² Non-taxable events are listed in NRS 375.010(1)(b), exemptions are listed in NRS 375.090

³ See Table 1 in the next section for a table of the rates and distribution in each county.

⁴ NRS 375.020 through 375.026 impose tax "for each \$500 of value or fraction thereof...if the consideration or value of the interest or property conveyed exceeds \$100"

⁵ Amounts in table are from Recorders Monthly Report; minor adjustments for refunds or timing differences are excluded

The total tax for the fiscal year to date FY15-16 is depicted graphically below:



Transactions in Washoe County and Clark County account for approximately 93.48% of the total Real Property Transfer Tax in FY15-16. Transactions in the other 15 counties account for the remaining 6.52%. The total tax is approximately \$36,434,000.

Distribution of Tax

The following table shows the distribution of the tax for the first quarter of FY 15-16 (July 1, 2015 to September 30, 2015). The “Level of Government” heading indicates where the tax is ultimately used.

<i>Level of Govt</i>	<i>State</i>	<i>County</i>	<i>County</i>	<i>County</i>	<i>State</i>	<i>County</i>
	General Fund⁶	Collection Allowance⁷	Consolidated Tax⁸	School District⁹	Low Income Housing¹⁰	Local Govt Tax Act¹¹
TOTAL	\$19,430,431.45	\$196,266.98	\$8,303,603.19	\$6,722,011.94	\$1,509,746.03	\$272,209.80
CLARK	\$14,418,715.61	\$145,643.59	\$6,161,844.28	\$6,722,011.94	\$1,120,335.32	
WASHOE	\$3,447,404.53	\$34,822.27	\$1,473,249.80		\$267,863.60	\$267,863.60
DOUGLAS	\$553,142.44	\$5,587.30	\$236,385.66		\$42,979.21	
LYON	\$239,511.99	\$2,419.31	\$102,355.55		\$18,610.10	
CARSON CITY	\$201,531.33	\$2,035.67	\$86,124.50		\$15,659.00	
ELKO	\$184,596.98	\$1,864.62	\$78,887.60		\$14,343.20	
NYE	\$132,116.99	\$1,334.52	\$56,460.25		\$10,265.50	
STOREY	\$74,630.56	\$753.84	\$31,893.40		\$5,798.80	
CHURCHILL	\$55,935.59	\$565.01	\$23,904.10		\$4,346.20	\$4,346.20
HUMBOLDT	\$44,990.95	\$454.45	\$19,226.90		\$3,495.80	
PERSHING	\$25,298.56	\$255.54	\$10,811.35		\$1,965.70	
LANDER	\$15,837.82	\$159.98	\$6,768.30		\$1,230.60	
LINCOLN	\$14,501.92	\$146.48	\$6,197.40		\$1,126.80	
WHITE PINE	\$9,527.66	\$96.24	\$4,071.65		\$740.30	
EUREKA	\$6,258.68	\$63.22	\$2,674.65		\$486.30	
MINERAL	\$5,294.72	\$53.48	\$2,262.70		\$411.40	
ESMERALDA	\$1,135.13	\$11.47	\$485.10		\$88.20	

⁶ Per NRS 375.023, the tax rate includes \$1.30 per \$500 of value or fraction thereof for the State General Fund. The amount in the table is net of the collection allowance per NRS 375.023(4).

⁷ Per NRS 375.023(4), counties are entitled to 1% of the State’s \$1.30 portion of the taxes collected to defray the County’s administrative costs associated with the tax.

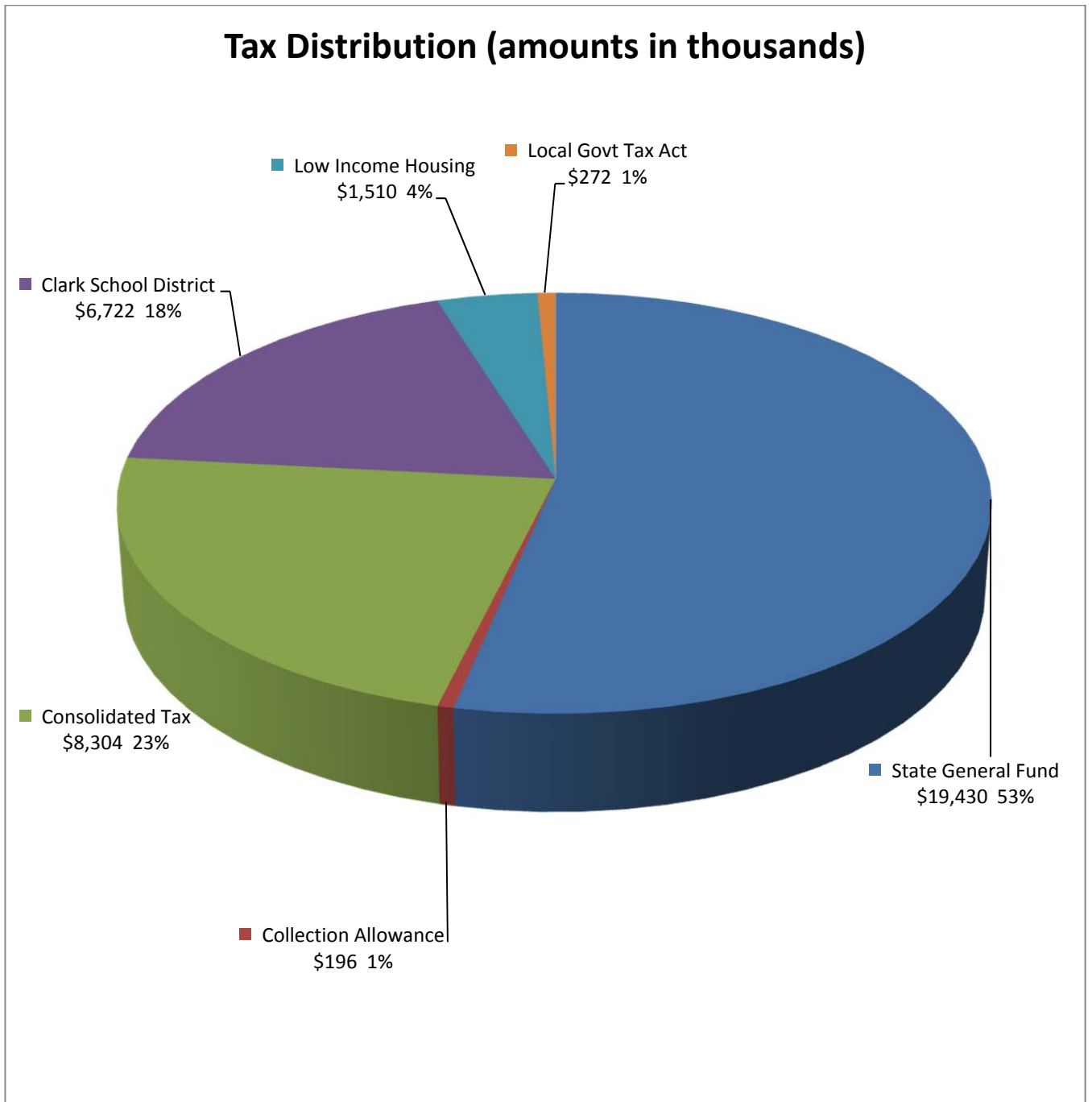
⁸ Per NRS 375.020, the tax rate includes \$0.65 per \$500 of value or fraction thereof. Of this amount, \$0.55 (NRS 375.070(1)(c) is distributed to the Local Government Tax Distribution Account, where it is combined with the proceeds of other taxes and becomes part of the Consolidated Tax or CTX (See NRS 360.660). The CTX is ultimately distributed back to counties. The remaining \$0.10 (NRS 375.070(1)(a)) is distributed to the state administered Low-Income Housing program created per NRS 319. In Clark County an additional \$0.60 is added which is distributed to the Clark County School District NRS 375.070(1)(b).

⁹ Ultimately distributed to the County School District. See note 9.

¹⁰ Ultimately distributed to the State account for Low-Income Housing, created pursuant to NRS 319.500. See note 9.

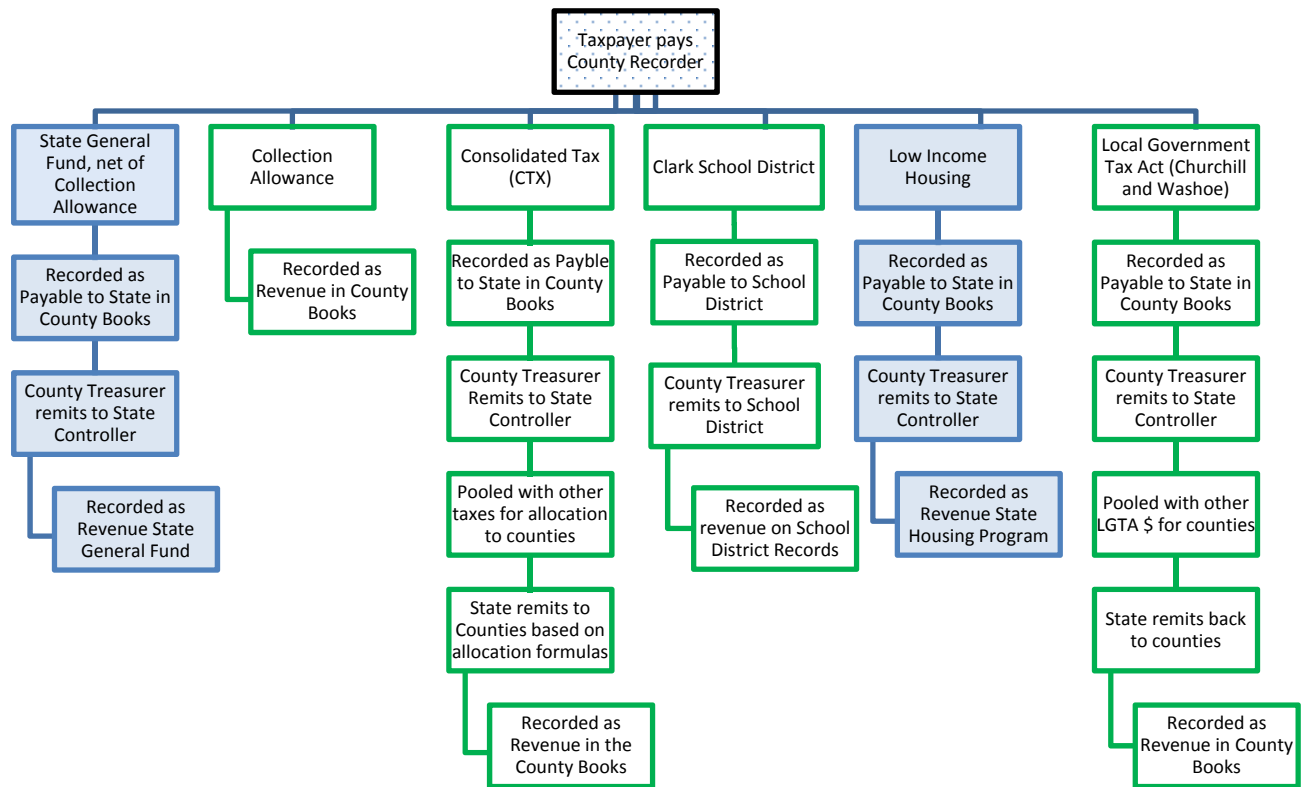
¹¹ The Local Government Tax Act (LGTA) was passed in 1991 and can be found in the Special Acts section at the following link. <http://leg.state.nv.us/SpecialActs/48-LocalGovernmentTax1991.html>. See Section 32. Please also see the updated LGTA of 1993. This act allows certain counties, by local ordinance, to levy an additional tax of \$0.10 per \$500 of value or fraction thereof. Currently only Churchill County and Washoe County levy the tax. The tax is ultimately distributed back to the County through the Tax Distribution Fund.

The distribution of the tax for the 1st quarter and year to date for FY15-16 is depicted graphically as follows:



The proceeds allocated to the State General Fund (net of collection allowance) and to Low-Income Housing are ultimately used at the State level. The remaining proceeds are ultimately used at the local government level.

The total tax collected by the County Recorder is posted to various accounts in the County books and records. A portion of the amount collected is retained by the County. The retained amount consists of the collection allowance and School District amount (currently only in Clark County). The remaining portions (Consolidated Tax (CTX), State General fund (net of collection allowance), Low Income Housing, and Local Government Tax Act) are remitted by the County Treasurer to the State Controller for further distribution. CTX is ultimately combined with other taxes and distributed back to the Counties based on statutory allocation formulas. Similarly, the LGTA is combined with other LGTA taxes and distributed back to the counties. The following flowchart shows the flow of the tax through the various systems. The blue indicates proceeds ultimately used at the state level. The green indicates proceeds ultimately used at the local government level.



See the distribution table and graph on the prior two pages for amounts distributed per the above flowchart for FY15-16.

Exemptions

The total number of deeds filed with the County Recorders for the 1st Quarter (July 1, 2015 through September 30, 2015) of FY15-16 (July 1, 2015 through June 30, 2016) are shown in the following tables together with the number of each type of exemption. The exemption numbers correspond with the subparagraphs of NRS 375.090 as follows:

NRS 375.090 Exemptions. The taxes imposed by [NRS 375.020](#), [375.023](#) and [375.026](#) do not apply to:

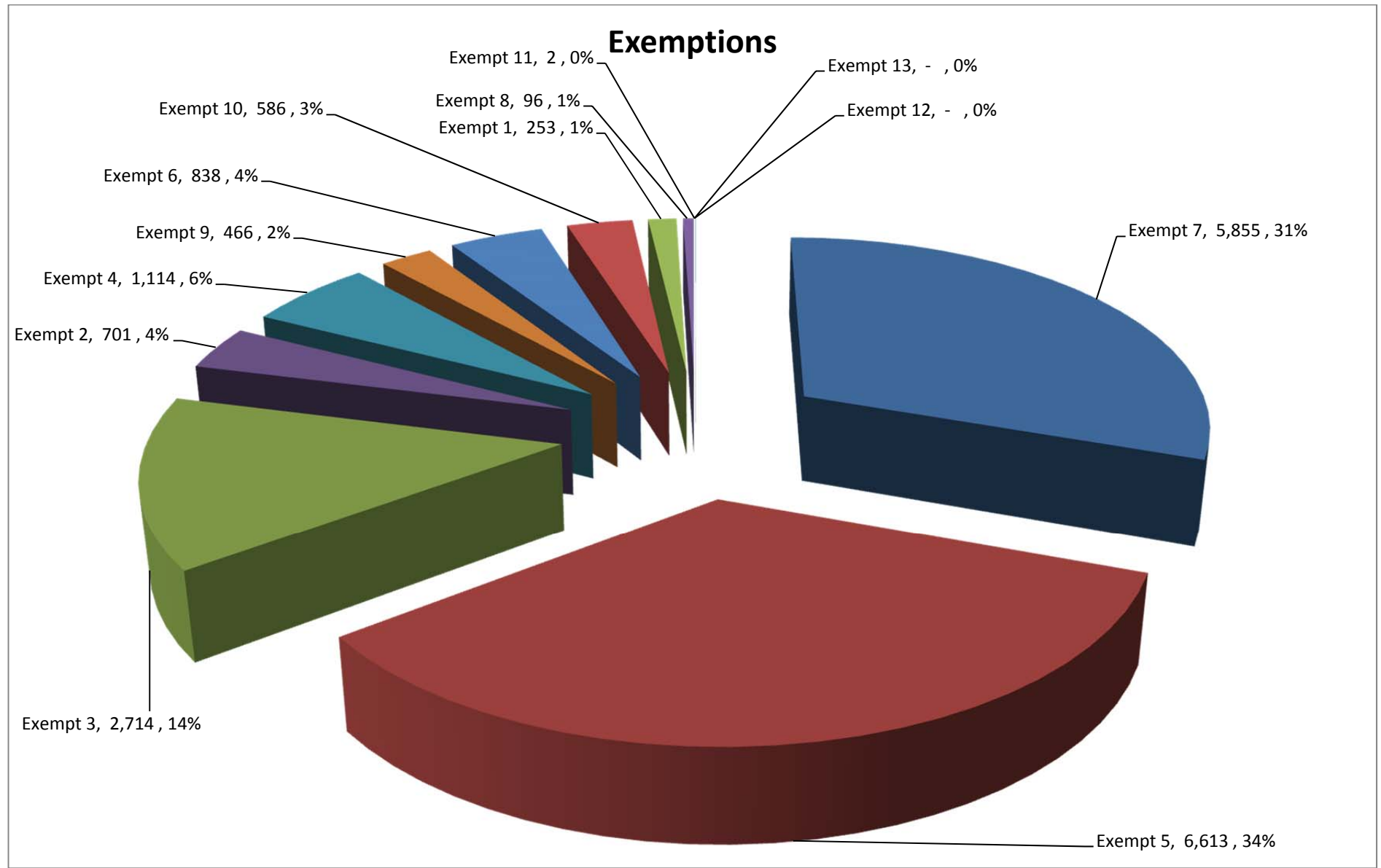
1. A mere change in identity, form or place of organization, such as a transfer between a business entity and its parent, its subsidiary or an affiliated business entity if the affiliated business entity has identical common ownership.
2. A transfer of title to the United States, any territory or state or any agency, department, instrumentality or political subdivision thereof.
3. A transfer of title recognizing the true status of ownership of the real property, including, without limitation, a transfer by an instrument in writing pursuant to the terms of a land sale installment contract previously recorded and upon which the taxes imposed by this chapter have been paid.
4. A transfer of title without consideration from one joint tenant or tenant in common to one or more remaining joint tenants or tenants in common.
5. A transfer, assignment or other conveyance of real property if the owner of the property is related to the person to whom it is conveyed within the first degree of lineal consanguinity or affinity.
6. A transfer of title between former spouses in compliance with a decree of divorce.
7. A transfer of title to or from a trust without consideration if a certificate of trust is presented at the time of transfer.
8. Transfers, assignments or conveyances of unpatented mines or mining claims.
9. A transfer, assignment or other conveyance of real property to a corporation or other business organization if the person conveying the property owns 100 percent of the corporation or organization to which the conveyance is made.
10. A conveyance of real property by deed which becomes effective upon the death of the grantor pursuant to [NRS 111.655](#) to [111.699](#), inclusive.
11. The making, delivery or filing of conveyances of real property to make effective any plan of reorganization or adjustment:
 - (a) Confirmed under the Bankruptcy Act, as amended, 11 U.S.C. §§ 101 et seq.;
 - (b) Approved in an equity receivership proceeding involving a railroad, as defined in the Bankruptcy Act; or
 - (c) Approved in an equity receivership proceeding involving a corporation, as defined in the Bankruptcy Act,
➤ if the making, delivery or filing of instruments of transfer or conveyance occurs within 5 years after the date of the confirmation, approval or change.
12. A transfer to an educational foundation. As used in this subsection, “educational foundation” has the meaning ascribed to it in subsection 3 of [NRS 388.750](#).
13. A transfer to a university foundation. As used in this subsection, “university foundation” has the meaning ascribed to it in subsection 3 of [NRS 396.405](#).
(Added to NRS by 1967, 1761; A 1969, 569; 1971, 246; 1985, 862, 2046; 1991, 1122, 2053; 1993, 2308, 2624; 1995, 716, 1037; [2001, 1593](#); [2003, 3486](#); [2003, 20th Special Session, 172, 174](#); [2005, 962, 2057, 2488](#); [2007, 3393](#); [2009, 1112](#); [2011, 1354](#))

Number of Exemptions for 1st quarter and fiscal year to date of FY15-16

	% of Total Transfers	Total Transfers	Exempt Transfers	% of Total Exemptions	% of Transfers Exempted by County	1	2	3	4	5	6	7	8	9	10	11	12	13
TOTAL	100.00%	56,864	19,234	100.00%		253	701	2,714	1,114	6,613	838	5,855	96	466	586	2	0	0
CLARK	77.21%	43,906	13,539	70.39%	30.84%	150	371	1,972	597	5,336	196	4,217	5	333	360	2	-	-
WASHOE	11.42%	6,495	2,915	15.16%	44.88%	72	162	293	354	632	471	776	17	66	61	-	-	-
DOUGLAS	2.79%	1,587	489	2.54%	30.81%	-	9	84	10	110	11	236	1	6	22	-	-	-
NYE	1.94%	1,106	580	3.02%	52.44%	14	52	66	65	85	84	165	8	10	25	-	-	-
LYON	1.59%	902	411	2.14%	45.57%	8	23	76	16	121	17	108	2	13	27	-	-	-
ELKO	1.42%	807	344	1.79%	42.63%	-	31	57	39	89	27	57	9	10	23	-	-	-
CARSON CITY	1.10%	624	318	1.65%	50.96%	-	10	46	12	64	3	152	-	5	26	-	-	-
CHURCHILL	0.48%	273	137	0.71%	50.18%	-	17	23	1	37	2	36	7	8	6	-	-	-
HUMBOLDT	0.41%	231	92	0.48%	39.83%	2	3	10	3	28	6	21	5	2	12	-	-	-
PERSHING	0.37%	208	89	0.46%	42.79%	5	9	22	10	9	4	14	12	1	3	-	-	-
WHITE PINE	0.27%	156	85	0.44%	54.49%	1	4	18	2	28	3	21	2	3	3	-	-	-
STOREY	0.22%	123	63	0.33%	51.22%	1	6	17	2	13	2	21	-	-	1	-	-	-
LINCOLN	0.21%	121	30	0.16%	24.79%	-	-	10	-	18	5	6	4	6	4	-	-	-
LANDER	0.20%	111	48	0.25%	43.24%	-	1	5	-	21	4	10	6	-	1	-	-	-
MINERAL	0.14%	82	40	0.21%	48.78%	-	1	10	2	12	1	3	-	-	11	-	-	-
ESMERALDA	0.12%	66	23	0.12%	34.85%	-	1	4	-	4	-	2	10	2	-	-	-	-
EUREKA	0.12%	66	31	0.16%	46.97%	-	1	1	1	6	2	10	8	1	1	-	-	-

Per the tables and graphs under the heading "Tax Totals," transactions in Washoe County and Clark County account for approximately 88.63% of the tax dollars. The above table indicates that transactions in Washoe County and Clark County account for approximately 85.55% of the total number of transfers. Transactions in the other 15 counties account for approximately 14.45% of the total number of transfers.

The following chart shows the number of exemptions by category for the 1st quarter and fiscal year to date FY15-16.



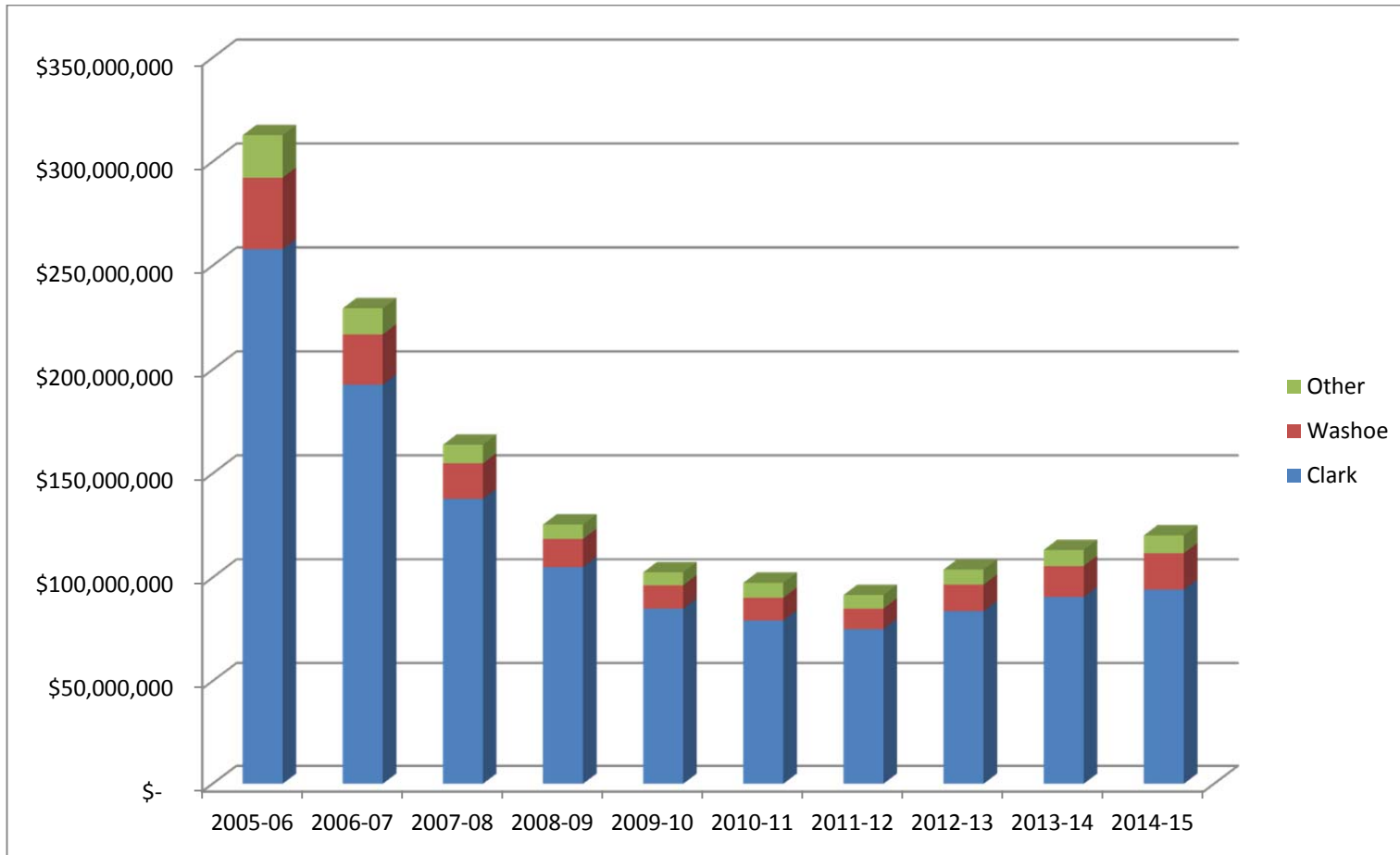
Historical Trends

The following table shows the tax for the last ten fiscal years¹² sorted by 2014-15 totals.

	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Total	\$312,725,296.59	\$229,471,598.66	\$163,815,334.90	\$125,473,123.05	\$102,479,032.88	97,451,899.65	91,555,410.38	\$103,806,790.53	\$113,251,556.14	\$120,225,322.55
CLARK	\$257,904,928.10	\$192,759,296.24	\$137,797,728.78	\$104,987,657.80	\$85,006,222.45	79,337,410.50	75,173,556.50	\$83,853,906.75	\$90,636,710.40	\$94,168,621.05
WASHOE	\$34,428,382.65	\$24,162,347.55	\$17,115,622.20	\$13,573,497.00	\$11,257,946.06	10,943,230.05	\$9,910,474.93	\$12,686,613.60	\$14,885,138.14	\$17,482,779.25
DOUGLAS	\$4,549,810.75	\$3,064,226.75	\$2,401,438.10	\$1,695,928.65	\$1,714,878.45	\$1,780,599.60	\$1,574,651.35	\$2,237,118.00	\$2,508,009.85	\$2,507,451.50
LYON	\$4,533,857.25	\$2,280,528.90	\$1,351,396.80	\$1,363,978.20	\$1,154,696.40	\$1,183,072.80	\$941,914.35	\$1,074,019.05	\$1,366,253.85	\$1,407,088.80
CARSON CITY	\$2,269,398.60	\$1,842,732.45	\$989,119.95	\$788,195.75	\$881,450.70	\$685,290.45	\$826,474.35	\$950,829.75	\$1,022,137.35	\$1,118,584.35
ELKO	\$1,250,928.90	\$1,356,498.00	\$939,102.45	\$759,552.30	\$694,227.30	\$774,791.55	\$993,248.10	\$1,037,288.85	\$983,363.55	\$1,039,336.35
NYE	\$4,140,151.98	\$1,920,498.38	\$1,273,158.19	\$1,035,619.89	\$836,748.55	\$692,554.20	\$661,397.10	\$689,625.30	\$620,380.80	\$655,240.95
STOREY	\$480,829.05	\$375,950.25	\$468,920.40	\$344,079.35	\$148,882.50	\$151,499.40	\$305,682.00	\$112,557.90	\$207,376.65	\$495,855.75
HUMBOLDT	\$779,372.85	\$423,116.94	\$384,624.02	\$264,691.06	\$220,888.23	\$210,432.30	\$390,138.45	\$396,148.35	\$331,244.55	\$444,299.70
CHURCHILL	\$1,268,986.90	\$569,985.10	\$445,190.30	\$302,973.60	\$272,486.80	\$1,373,664.00	\$274,482.70	\$337,844.10	\$264,390.55	\$326,661.35
PERSHING	\$185,981.25	\$103,010.70	\$107,388.45	\$85,031.70	\$41,377.05	\$51,902.55	\$102,137.10	\$89,704.90	\$61,206.60	\$162,805.50
LANDER	\$144,529.13	\$129,897.10	\$83,984.55	\$60,317.40	\$45,748.96	\$64,515.75	\$85,569.90	\$91,143.98	\$79,066.65	\$136,217.25
LINCOLN	\$424,515.00	\$149,180.85	\$99,202.35	\$76,683.75	\$44,089.50	\$55,649.10	\$59,239.05	\$59,434.05	\$42,098.55	\$115,796.85
WHITE PINE	\$234,050.70	\$190,944.00	\$237,763.50	\$74,454.90	\$78,076.05	\$108,872.40	\$81,995.55	111198.75	\$111,664.80	\$101,031.45
EUREKA	\$55,385.84	\$47,199.75	\$41,513.16	\$15,730.65	\$21,411.83	\$13,417.95	\$119,802.15	\$29,653.65	\$32,365.75	\$29,782.35
MINERAL	\$51,567.85	\$57,979.35	\$53,036.10	\$30,669.60	\$47,759.40	\$15,646.80	\$39,089.70	\$40,969.50	\$28,048.80	\$26,947.05
ESMERALDA	\$22,619.79	\$38,206.35	\$26,145.60	\$14,061.45	\$12,142.65	\$9,350.25	\$15,557.10	\$8,734.05	\$72,099.30	\$6,823.05

¹² Amounts in table are calculated from Recorders Monthly Report; minor adjustments for refunds and timing differences are excluded.

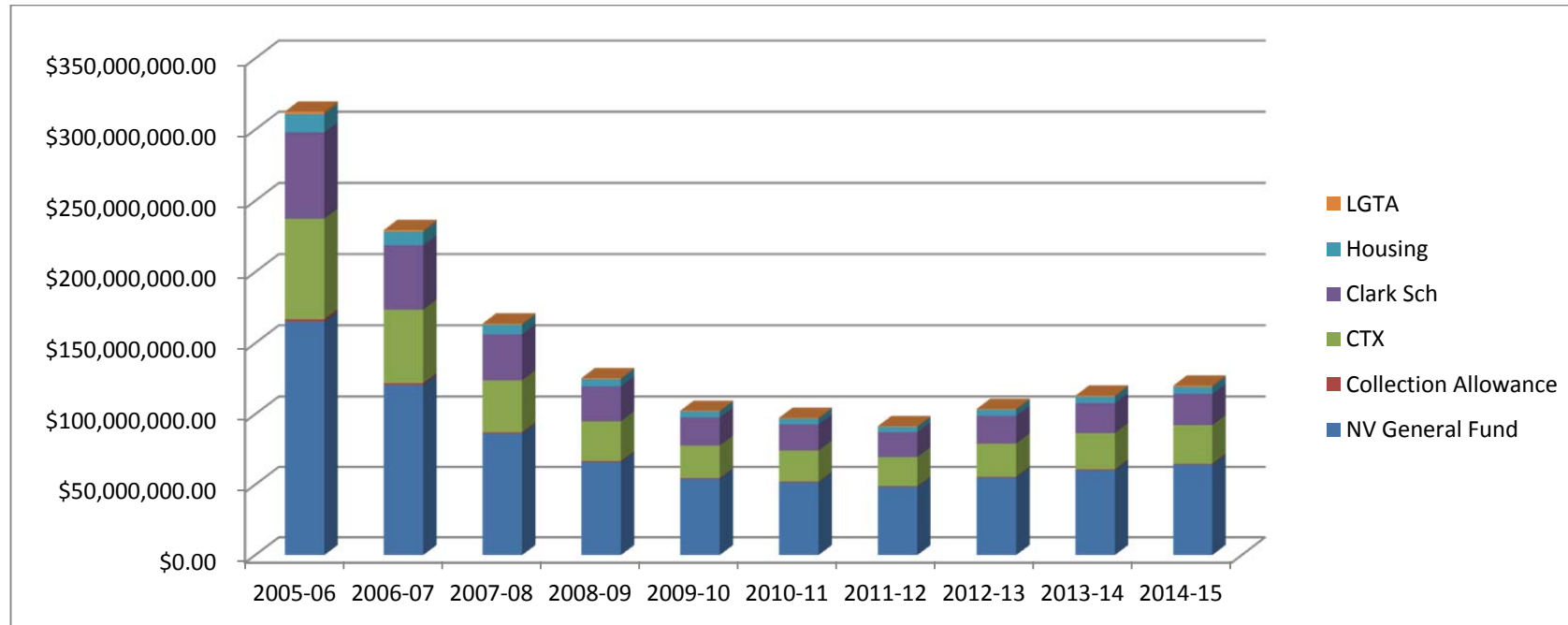
These trends are depicted graphically as follows.



The following table shows the distribution of the tax over the last ten years.¹³

	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Total	\$312,725,296.59	\$229,471,598.66	\$163,815,334.90	\$125,473,123.05	\$102,479,032.88	\$97,451,899.65	\$91,555,410.38	\$103,806,790.53	\$113,251,556.14	\$120,225,322.55
NV General Fund	\$165,198,296.34	\$120,720,609.82	\$86,153,571.83	\$66,061,540.87	\$54,063,971.70	\$51,601,076.70	\$48,424,653.77	\$55,071,139.29	\$60,182,938.16	\$64,151,502.86
Collection Allow.	\$1,668,669.66	\$1,219,400.10	\$870,238.10	\$667,288.29	\$546,100.72	\$521,223.00	\$489,137.92	\$556,274.13	\$607,908.47	\$647,994.98
Consolidated Tax	\$70,597,562.54	\$51,590,004.20	\$36,817,765.74	\$28,231,427.72	\$23,104,261.41	\$22,051,742.18	\$20,694,296.48	\$23,534,674.91	\$25,719,204.34	\$27,415,172.16
Clark School Dist.	\$60,683,512.49	\$45,355,128.53	\$32,422,995.01	\$24,702,978.31	\$20,001,464.11	\$18,667,626.00	\$17,687,895.65	\$19,730,331.00	\$21,326,284.80	\$22,157,322.60
Low-Income Hous.	\$12,835,920.46	\$9,380,000.76	\$6,694,139.23	\$5,132,986.86	\$4,200,774.80	\$4,009,407.67	\$3,762,599.36	\$4,279,031.80	\$4,676,218.97	\$4,984,576.76
Local Gov't Tax Act	\$1,741,335.10	\$1,206,455.25	\$856,625.00	\$676,901.00	\$562,460.14	\$600,824.10	\$496,827.20	\$635,339.40	\$739,001.40	\$868,753.20

The following chart shows the distribution of the tax over the last ten years.

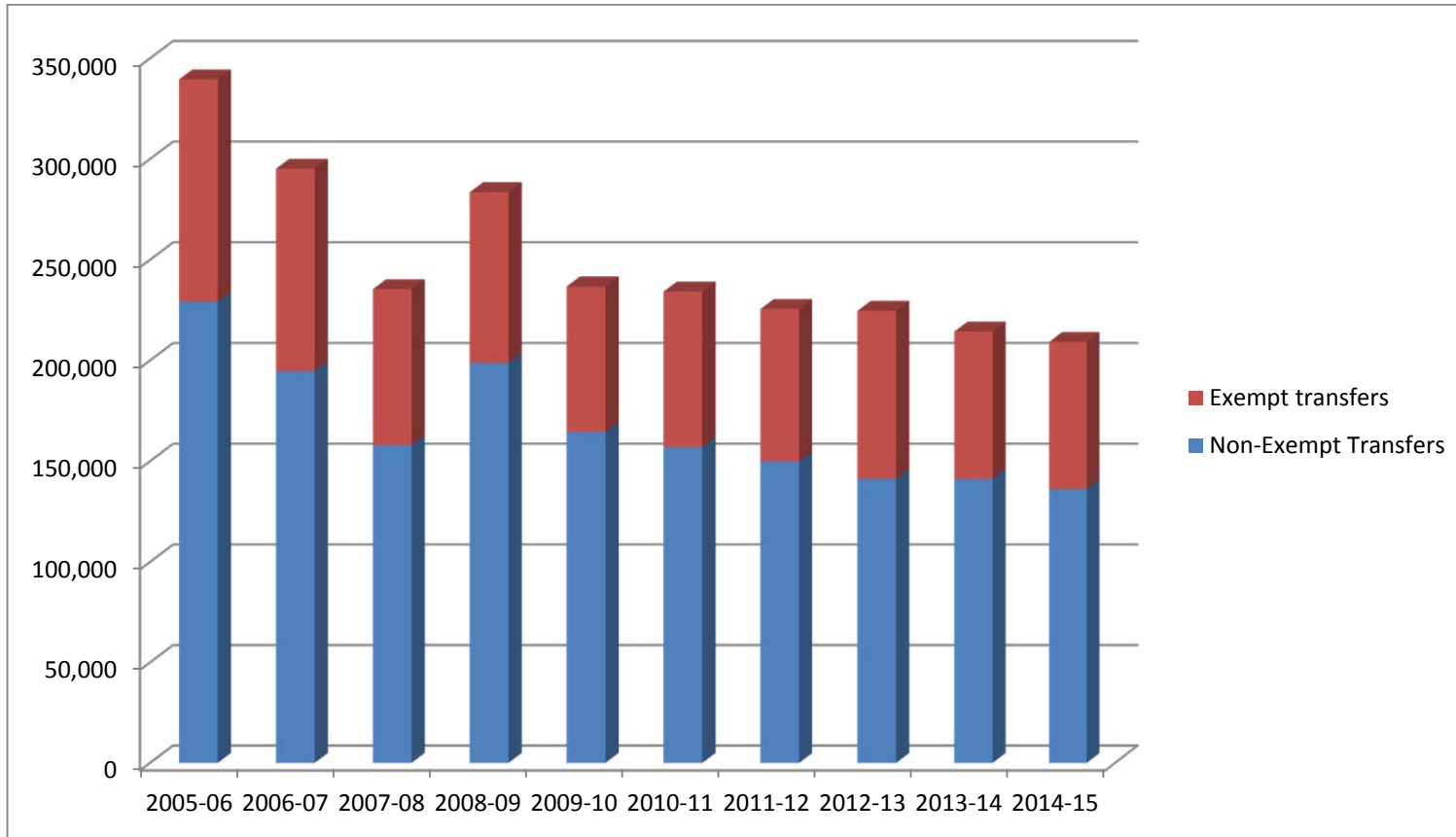


¹³ Amounts in table are calculated from Recorders Monthly Report; minor adjustments for refunds and timing differences are excluded.

The following table shows the total number of transfers and the exempt transfers over the last ten years sorted by the 2014-15 total transfers; highlighted cells indicated that data was not available for all or part of the periods.

Historical Transfers and Exemptions																				
	2005-06		2006-07		2007-08		2008-09		2009-10		2010-11		2011-12		2012-13		2013-14		2014-15	
	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans	Total Trans	Exempt Trans
TOTAL	339,509	110,279	295,175	100,524	235,433	77,429	283,526	84,783	236,769	72,212	234,218	77,262	225,585	75,773	224,646	83,352	54,809	17,995	209,178	72,933
CLARK	264,656	97,616	233,345	81,864	187,925	54,962	239,143	64,371	190,504	52,570	188,531	56,145	178,268	54,857	176,144	60,095	41,891	12,718	159,886	51,293
WASHOE	32,393	-	26,773	6,663	21,313	10,404	20,378	9,113	22,460	9,178	23,231	10,207	23,412	10,125	24,001	11,619	6,053	2,467	22,964	10,588
DOUGLAS	8,673	3,070	7,244	2,776	6,765	2,490	5,734	2,272	6,100	2,096	5,512	2,120	6,497	2,106	6,268	2,325	1,877	495	6,268	2,068
NYE	9,735	-	8,048	-	4,611	1,972	4,550	2,114	4,453	1,990	3,245	1,969	3,233	1,964	3,554	2,049	1,075	545	5,390	2,253
LYON	7,138	2,960	4,459	2,418	2,994	1,808	3,553	1,637	3,530	1,525	3,583	1,639	3,558	1,470	3,591	1,628	879	360	3,773	1,543
ELKO	5,311	1,371	5,102	1,534	3,577	1,324	2,907	1,217	2,679	1,182	2,589	1,154	3,156	1,213	3,249	1,283	862	325	2,998	1,174
CARSON CITY	3,132	1,807	2,426	1,489	2,162	1,415	1,863	1,202	2,056	1,186	2,094	1,241	2,230	1,214	2,317	1,344	543	276	2,203	1,142
CHURCHILL	2,148	983	1,964	1,269	1,256	698	1,205	735	1,011	537	1,161	681	1,142	613	1,359	831	367	195	1,263	685
HUMBOLDT	1,444	647	1,608	623	1,204	554	1,277	592	1,202	555	1,296	655	1,033	729	683	652	362	159	1,131	570
PERSHING	974	237	725	308	757	318	713	325	630	241	866	275	712	289	876	269	200	97	777	320
WHITE PINE	934	379	790	393	656	346	508	288	496	299	509	294	521	301	558	320	186	115	556	328
STOREY	708	367	565	337	455	284	401	246	390	202	353	177	361	172	397	202	111	53	435	184
LANDER	595	182	567	184	430	197	365	172	310	126	294	128	396	158	442	162	121	43	414	189
LINCOLN	512	226	450	228	397	221	255	165	265	172	287	180	282	143	396	188	73	37	394	246
MINERAL	523	216	519	268	440	258	329	196	327	179	297	197	342	175	328	170	78	36	301	166
ESMERALDA	259	111	332	103	250	107	166	66	197	98	209	127	255	171	231	127	77	51	219	113
EUREKA	374	107	258	67	241	71	179	72	159	76	161	73	187	73	252	88	54	23	206	71

The following chart shows the number of exempt and non-exempt transfers over the last ten years.



Reconciliation

Pursuant to NAC 375.400, County Recorders must provide the Department the following information each month:

- Total number of deeds subject to RPTT during the prior month;
- Total taxes collected during the prior month;
- Total number of exemptions granted by type of exemption;
- Such other information that may be useful in coordinating the collection and administration of the taxes (under this category, a line item on the report form for the total collection allowance that may be retained by the county, based on the General Fund taxes collected during the prior month and the school district portion for Clark County)

Pursuant to NRS 375.023(3), County Treasurers must remit a portion of the amounts collected to the State Controller for distribution to various accounts in the State books and records. Counties retain a portion of the amount collected. See “Distribution of Tax” above for a complete explanation of the distribution.

The Department prepares a quarterly reconciliation of the tax. The Department prepares a workpaper with the expected distribution of the funds per the Recorder’s Report. The expected collection allowance is reconciled to the collection allowance reported by the Recorder. The expected distributions to the State, including CTX, General Fund, Low Income Housing, and LGTA amounts, are compared with the State Controller’s records and the County Treasurer remittance reports. Any discrepancies are investigated and brought to the attention of the County Recorder, County Treasurer, or State Controller as needed. The expected Clark County School District portion is reconciled to the school district amount reported by the Recorder.

At the end of the 1st Quarter of FY15-16, there are no outstanding issues related to the collection of tax. There were approximately three items that required adjustment¹⁴ during the 1st quarter of the FY15-16. Of the three adjustments, one was an overpayment made to the Controller’s office for the prior year, one was due to a refund given pursuant to NRS 375.150, NRS 375.290, or NRS 375.310, and one was an adjustment made due to calculations.

¹⁴ Net adjustments are 0.08% of the total reported amount and not considered material for the purposes of this report.

ADMINISTRATION OF THE REAL PROPERTY TRANSFER TAX

Authority and Oversight

The 20th Special Session of the Nevada State Legislature in 2003 instituted the passage of Senate Bill 8, which authorized an additional tax rate for the State General fund and gave the Department of Taxation administrative authority and oversight. The Department is required by NRS 375.019 to coordinate the collection and administration of the tax. The Nevada Tax Commission adopted regulations governing the Department's authority and oversight as well as the reporting of the Real Property Transfer Tax (RPTT) on March 1, 2004. Refer to NAC 375.400, 410, and 420.

Calculation and Collection of the Tax

The RPTT was originally imposed in 1968. The tax rates were established in NRS 375.020. NRS 375.020 has been amended from time to time. The current rate is \$0.65 per \$500 of value, or fraction thereof, for counties whose population is less than 700,000. The base rate in all counties of \$0.65 is segregated between county revenue¹⁵ (consolidated tax \$0.55) and State revenue¹⁶ (low-income housing \$0.10). For any county whose population is 700,000 or more, the rate is \$1.25 per \$500 of value or fraction thereof. The only county eligible for the higher rate at the current time is Clark County. The additional \$0.60 per \$500 of value, or fraction thereof, imposed in Clark County is dedicated to the Clark County School District fund for capital projects.

The Local Government Tax Act (LGTA) of 1991 provides an optional tax levy, if county commissioners approve an ordinance to impose a Real Property Transfer Tax, of up to 10 cents for each \$500 of value or fraction thereof. Currently, only Churchill County and Washoe County impose an additional \$0.10 levy.

NRS 375.026, passed by the Legislature in 2003, provides for the imposition of an additional levy of \$0.05 per \$500 of value or fraction thereof. The taxes so levied are for use in the Plant Industry Program as required by NRS 561.355. To date, no counties have levied any taxes for this program.

Finally, NRS 375.023 provides for the imposition of \$1.30 per \$500 of value or fraction thereof for the State General Fund.

¹⁵ The County Revenue is based on \$0.55 per \$500 of value, or fraction thereof, and is part of the Consolidated Tax.

¹⁶ The State Revenue is based on \$0.10 per \$500 of value, or fraction thereof, and is part of the low income housing program created pursuant to NRS 319.

The following table shows each component of RPTT and when it was implemented.

Entity	Component Type	Effective Date	Rate (per \$500)	Total Rate
Churchill County	County (now Consolidated Tax)	1/1/1968	\$0.55	
	Low Income Housing	7/1/1991	\$0.10	
	LGTA	7/1/1991	\$0.10	
	State General Fund	10/1/2003	<u>\$1.30</u>	\$2.05
Clark County	County (now Consolidated Tax)	1/1/1968	\$0.55	
	School District	8/1/1977	\$0.60	
	Low Income Housing	7/1/1991	\$0.10	
	State General Fund	10/1/2003	<u>\$1.30</u>	\$2.55
Washoe County	County (now Consolidated Tax)	1/1/1968	\$0.55	
	Low Income Housing	7/1/1991	\$0.10	
	LGTA	7/1/1991	\$0.10	
	State General Fund	10/1/2003	<u>\$1.30</u>	\$2.05
All other counties	County (now Consolidated Tax)	1/1/1968	\$0.55	
	Low Income Housing	7/1/1991	\$0.10	
	State General Fund	10/1/2003	<u>\$1.30</u>	\$1.95

Collection Allowance

Pursuant to NRS 375.023(4), counties are entitled to deduct and withhold a collection allowance for the cost of collecting the tax. Per the 2005 Legislative Session, all counties may deduct 1% of the State's portion of the taxes collected.

The collection allowance is retained by the county and deducted from the amount remitted to the State.

Distribution of the Tax

All components of the Real Property Transfer Tax, net of the collection allowance, are transmitted to the State Controller, with two exceptions. The first exception is the Plant Industry Program. If and when any taxes are levied for the Plant Industry Program, they must be transmitted directly to the State Treasurer. The second exception is the school district component levied in Clark County, which is transmitted directly to the Clark County Treasurer for ultimate distribution to the School District.

NRS 375.070 requires the tax imposed by NRS 375.020 (the \$0.65 per \$500 of value of fraction thereof) to be transmitted to the State Controller at the end of each quarter. Some counties transmit on a monthly basis and in turn receive back a monthly distribution of the consolidated tax (CTX) component (the \$0.55 per \$500 or fraction thereof). The remaining Low-Income Housing component (\$0.10 per \$500 value or fraction thereof) is distributed to the State housing program.

The State Controller distributes the tax represented by the CTX component to the Local Government Tax Distribution Account, where it is combined with the proceeds of other taxes and becomes part of the Consolidated Tax distribution (CTX) administered by the Department of Taxation pursuant to NRS 360.660. The remaining \$0.10 of the \$0.65 is distributed by the State Controller to the account for Low-Income Housing, created pursuant to NRS 319.500.

The Real Property Transfer Taxes collected pursuant to the Local Government Tax Act (LGTA) are also transmitted to the State Controller and are distributed to the Intergovernmental Trust Fund which accrues interest. The real property transfer taxes are distributed back to the participating counties, along with the proceeds of other types of taxes collected pursuant to LGTA, by the Department of Taxation.

The taxes collected by counties on behalf of the State are distributed by the State Controller to the State General Fund. The taxes collected on behalf of the State, however, are required to be transmitted within 30 days after the end of the calendar quarter *during which the tax was collected*. (NRS 375.023(3)). For instance, taxes collected by the County Recorder in January must be remitted to the State Controller no later than April 30. Taxes collected in January may be remitted monthly as other components of the RPTT are transmitted, but cannot be remitted later than 30 days after the last day of the calendar quarter.

In all counties the County Treasurer or County Controller is currently responsible for transmitting the taxes to the State Controller, and the transmittal report must reflect the time period when the taxes were actually collected by the Recorder, not when the Treasurer or Controller received the monies from the Recorder. If the State conducts an audit, the period to be audited would be when the monies were first received from the taxpayer (“the collection period”). The collection period must balance to the transmittal reports.