

Real Property Conveyance Fee

Taxpayer

The real property conveyance fee is paid by persons who make sales of real estate or used manufactured homes.

Tax Base

The base of the tax is the value of real estate sold or transferred from one person to another.

Rates

The conveyance fee consists of two parts. A statewide mandatory tax of 1 mill (\$1 per \$1,000 dollars of the value of property sold or transferred) applies in all 88 of Ohio's counties. In addition, counties may also impose a permissive real property transfer tax of up to 3 additional mills. As of 2008, the most recent year for which data is available, 87 of 88 counties levied this additional tax at rates ranging from 1 mill to 3 mills. (The exception was Ross County.)

Major Exemptions

The tax does not apply:

- to sales or transfers to or from the U.S. government or its agencies, or to or from the state of Ohio or any of its political subdivisions.
- to gifts from one spouse to another, or to children and their spouses.
- to surviving spouses or to a survivorship tenant.
- to sales or transfers to or from a non-profit agency that is exempt from federal income taxation, when the transfer is without consideration and furthers the agency's charitable or public purpose.
- when property is sold to provide or release security for a debt, or for delinquent taxes, or pursuant to a court order.
- when a corporation transfers property to a stockholder in exchange for their shares during a corporate reorganization or dissolution.
- when property is transferred by lease, unless the lease is for a term of years renewable forever.

- to a grantee other than a dealer, solely for the purpose of, and as a step in, the prompt sale to others.
- to sales or transfers to or from a person when no money or other valuable and tangible consideration readily convertible into money is paid or is to be paid for the realty, and the transaction is not a gift.
- to an easement or right-of-way when the value of the interest conveyed is \$1,000 or less.
- to a trustee of a trust, when the grantor of the trust has reserved an unlimited power to revoke the trust.
- to the grantor of a trust by a trustee when the transfer is made pursuant to the grantor's power to revoke the trust or to withdraw trust assets.
- to the beneficiaries of a trust, if the fee was paid on the transfer from the grantor or to the trustee or if the transfer is made pursuant to trust provisions that became irrevocable at the death of the grantor.

Revenue

(In Millions)

Tax Year	Total Taxes
2004	\$135.2
2005	152.1
2006	152.7
2007	130.8
2008	99.0

Disposition of Revenue

All revenue from the tax is deposited in the general fund of the county where the property is sold or transferred.

Payment Dates

The fee is paid at the time of the transfer, generally as part of the closing process.

Special Provisions

- County commissioners may prescribe a lower permissive rate than generally levied in the county for conveyances of property receiving the homestead exemption.
- The tax also applies to transfers of used manufactured homes.
- Persons who purchase residential rental property in counties with populations over 200,000 must register their contact and property information with the county auditor within 60 days of the property transfer. Auditors in these counties must include a statement to this effect when the property is transferred and with the real property tax bill.

Sections of Ohio Revised Code

Sections 319.202, 319.54, 319.99, 322.01–322.07 and 322.99.

Responsibility for Administration

Tax Commissioner.

History of Major Changes

- 1967

The General Assembly enacts a mandatory real property transfer fee of 1 mill and permits county commissioners to impose additional taxes of up to 3 mills on conveyances on or after Jan. 1, 1968. The revenue from both components of the tax are distributed to the county general fund.
- 1969

The General Assembly provides for the repeal of a permissive transfer tax adopted as an emergency by a vote of the electorate.
- 1999

Both the mandatory and permissive taxes are applied to the sales of used manufactured and mobile homes occurring on or after Jan. 1, 2000. Also, county commissioners are permitted to prescribe a lower permissive rate than generally levied in the county for conveyances of property receiving the homestead exemption.

2007

Owners of residential rental property in counties with populations greater than 200,000 are required to register their contact and property information with the county auditor.

Comparisons with Other States

(As of September, 2010)

All of the comparison states except **Indiana** and **Texas** levy a similar tax on real estate transfers. This table shows state real estate transfer taxes and the highest permitted local real estate transfer tax for each state. All rates are expressed in mills. Each mill represents \$1 per \$1,000 of value.

State	Minimum Tax (imposed statewide)	Maximum Local Option Tax Rate
California	---	1.1 mills
Florida	7 mills ¹	---
Illinois	1 mill	0.5 mill ²
Indiana	None	---
Kentucky	1 mill	---
Massachusetts	4.56 mills ³	---
Michigan	7.5 mills	1.1–1.5 mills
New Jersey	4–12.1 mills ⁴	1 mill
New York	4 mills ^{5 6}	---
Ohio	1 mill	3 mills
Pennsylvania	10 mills	4 mills
Texas	---	---
West Virginia	2.2 mills	2.2 mills

1 The Miami-Dade County rate is 6 mills.
2 The Chicago rate is 10.5 mills.
3 The Barnstable County rate is 6.12 mills.
4 Rates of 0.5 – 3.4 mills apply to senior citizens, blind or disabled people and in certain other situations. Additional fees apply to transactions valued over \$1 million.
5 An additional 1 percent (10 mill) tax applies to transfers of more than \$1 million.
6 The maximum local rate in New York City is 26.25 mills.