



REAL PROPERTY ELECTION TO MAKE CERTAIN SALES TAXABLE

Use this form if:

- you are an individual or a personal trust that is making an exempt sale of real property (other than a residential complex or an interest in such a complex) in the course of an adventure or concern in the nature of trade and you want GST/HST to apply to the sale; or
- you are making an exempt sale of real property back to the original vendor (who is registered for GST/HST) in accordance with the original purchase and sale agreement, within one year of purchasing the property, and
 - the property is a residential complex, or an interest in a residential complex, that has not been occupied by any individual as a place of residence or lodging and you are not the builder of the complex, or
 - the property is real property that is not a residential complex or an interest in a residential complex and you are an individual or a personal trust.

If you want to make the sale of real property back to the original vendor taxable, you and the original vendor must jointly elect to have the GST/HST apply to that sale.

For information on eligibility for each type of election, see the back of this form or call **1-800-959-5525**. If you are eligible to make an election, tick one of the boxes below to indicate which type of election you want to make. **Once you make one of these elections, you cannot revoke it.**

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| <input type="checkbox"/> Election type 1 – Real property (other than a residential complex or an interest in a residential complex) to be sold in the course of an adventure or concern in the nature of trade. | <input type="checkbox"/> Election type 2 – Residential complex or an interest in a residential complex sold back to the original vendor. | <input type="checkbox"/> Election type 3 – Real property (other than a residential complex or an interest in a residential complex) sold back to the original vendor. |
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Section A – Identification of supplier – Complete this section for all election types.

Legal name and operating, trading, or partnership name of supplier (if different from legal name)		Business Number		R	T
Mailing address				Postal code	
Contact person	Contact person's title	Telephone number			

Section B – Identification of recipient (original vendor) – Complete this section only if you have ticked the box for election type 2 or 3. If more than one recipient (original vendor), provide the information requested in section B for each person. Attach a separate sheet if you need more space.

Legal name and operating, trading, or partnership name of recipient (if different from legal name)		Business Number		R	T
Mailing address				Postal code	
Contact person	Contact person title	Telephone number			

Section C – Identification of property – Complete this section for all election types.

Legal description of property: Lot, concession, plan, range, parcel, section (as it appears at your provincial land title office or land registry office, or on your deed, or other land transfer document). If necessary, add on a separate piece of paper.

Section D – Election – Complete this section for all election types.

Tick this box for election type 1. <input type="checkbox"/> I elect to have GST/HST apply to the sale of the property described in section C.	Tick this box for election type 2 or 3. <input type="checkbox"/> We, the recipient (original vendor) and the supplier, jointly elect to have GST/HST apply to the sale of the property described in section C.
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Section E – Certification (supplier) – Complete this section if you are the supplier identified in Section A.

I, _____, (print name), certify that the information given on this form and in any attached documents with respect to the person identified in Section A is, to the best of my knowledge, true, correct, and complete in every respect, and that I am the supplier or that I am authorized to sign on behalf of the supplier.

Signature of supplier or authorized person	Year	Month	Day
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Section F – Certification (recipient/original vendor) – Complete this section if you are the recipient/original vendor identified in Section B.

I, _____, (print name) certify that the information given on this form and in any attached documents with respect to the person identified in Section B is, to the best of my knowledge, true, correct, and complete in every respect, and that I am the recipient or that I am authorized to sign on behalf of the recipient.

Signature of recipient or authorized person

Year Month Day

Privacy Act, Personal Information Bank CRA PPU 080

General information

Effect of the election

In certain limited situations, a person may make this election to treat an exempt sale of real property as taxable. A person may want to make their sale of real property taxable so that they can claim an input tax credit (if a registrant) or a rebate using Form GST189, *General Application for Rebate of GST/HST* (if a non-registrant) for the GST/HST they paid to acquire or improve the property but were previously unable to recover.

Tick election type 1 if:

- you are an individual or a personal trust; and
- you are making a sale of real property (other than a residential complex or an interest in a residential complex) in the course of an adventure or concern in the nature of trade.

Filing instructions for election type 1

You have to file a type 1 election with your tax services office **before** the sale is made. We generally consider the sale to be made when you enter into an agreement of purchase and sale. For more information, call **1-800-959-5525**.

General criteria for election types 2 and 3

You are eligible to make a type 2 or type 3 election if you meet all of the following general criteria and the additional criteria for election type 2 or 3 as specified on this page:

- the recipient (the original vendor) of the real property is registered for GST/HST;
- the original vendor of the property had previously made a taxable sale of the same property to you and this previous sale was the last sale (including deemed sales) of the property to you;
- you are making the sale of the real property back to the original vendor in accordance with a right or obligation of the original vendor under the agreement for the previous sale to repurchase the real property;
- you and the original vendor make this election jointly; and
- the sale of the real property back to the original vendor is made not more than one year after you took ownership or possession of the property, whichever occurred earlier, from the original vendor under the agreement for the previous sale.

Note

You may still be eligible to make a type 2 or 3 election if you were not the recipient of the previous sale by the original vendor but you are:

- a personal trust (other than a testamentary trust), the settlor of which was the recipient of the previous sale; or
- a testamentary trust that arose from the death of an individual who was the recipient of the previous sale.

Tick election type 2 if:

- you meet the general criteria for election types 2 and 3 listed on this page;
- the property is a residential complex or an interest in a residential complex;
- you are not the builder of the residential complex, or, if the residential complex is a multiple unit residential complex, you are not the builder of an addition to the complex; and
- the residential complex was not used by any individual as a place of residence or lodging after the construction or last substantial renovation was substantially completed.

Note

You are not eligible to make this election if you claimed any input tax credits for your purchase of the complex or improvements you made to the complex.

Tick election type 3 if:

- you meet the general criteria for election types 2 and 3 listed above;
- the property is real property other than a residential complex or an interest in a residential complex; and
- you are an individual or a personal trust.

Filing instructions for election types 2 and 3

A type 2 or type 3 election must be filed with the recipient's (original vendor) GST/HST return for the reporting period in which the recipient is required to report the tax payable for the supply of real property that you made. If the recipient files its GST/HST return electronically, the recipient has to file this election with its tax services office immediately after the return is filed.