

# FORM QRO—LT21

Version 1—July 2014

Land Tax Act 2010 Section 42A, 42B and 44A



## Guide to claiming a transitional home exemption

Keep this guide for future reference. It contains important information about the exemption and your obligations after receiving the exemption.

**By completing and submitting this form, you are declaring that you are eligible for the exemption and will comply with your obligations. If you fail to comply, you will be required to pay the land tax payable on the exempted value. Penalty tax and interest may also apply.**

**It is an offence to falsely claim an exemption. The maximum penalty is an additional \$11,000.**

Terms in italics are explained under 'Meaning of terms' on page 2 of this guide.

### Eligibility

To be eligible for the exemption, you or all the beneficiaries (for trustees) must:

- be an *individual*
- have been occupying the *old home* as your/their home on 30 June of the previous year
- have become the owner of the *new home* during the financial year before the *liability date*
- be occupying either the *old home* or *new home* as your/their home on the *liability date*
- receive no rent or other income from the *old home* after ceasing to occupy it
- receive no rent or other income from the *new home* before occupying it (income derived from a lease entered into by the vendor may be allowed)
- continue to occupy the *new home* on 30 June of the following year
- no longer own the *old home* on 30 June of the following year.

### Your obligations

You must notify us within 28 days if:

- the *new home* is not used as your home or all the beneficiaries' home on 30 June of the following year
- the *old home* is owned on 30 June of the following year
- you receive rent or other income from either the *old home* or *new home* before 30 June of the following year.

Failing to *notify* is an offence—the maximum penalty is \$11,000.

### How to complete this form

The form must be accompanied by either an LT12 or LT13 home exemption for the home you were occupying at the liability date.

- Each owner must complete a separate form.
- Print or type all responses in the boxed spaces, and tick appropriate boxes.
- If you are claiming the exemption as trustee, complete the questions as if the beneficiaries are claiming the exemption.

### Land details

The real property description (that is, the lot and plan number) can usually be found on your council rates notice, valuation notice (issued by the Valuer-General, Department of Resources) or correspondence issued by Queensland Revenue Office.

## Questions 1 to 3

Relate to your *old home*

## Questions 4 to 8

Relate to your *new home*

## Declaration

An administrator appointed under the *Guardianship and Administration Act 2000* may sign this declaration on behalf of claimants with impaired capacity.

## Meaning of terms

### Date of occupation

The date of occupation is when you first occupied, or intend to occupy, the land as your home.

### Date of possession

The date of possession is when you first became the owner of the new home (that is, the date of settlement).

### Home

A home is generally an owner's principal place of residence. See Public Ruling LTA000.1—The land tax exemption for a home and/or LTA041.1—Land tax home exemption—trustees.

### Individual

An individual is a natural person.

### Liability date

The liability date is 30 June of the year you declare on the form.

### New home

A new home is the home you or all the beneficiaries will be occupying as your/their principal place of residence on 30 June of the following year.

### Notify

You must notify Queensland Revenue Office in writing of any relevant information that could affect your exemption eligibility.

### Old home

An old home is the home you or all the beneficiaries were occupying as your/their principal place of residence on 30 June of the previous year.

### Qualified witness

A qualified witness is a Justice of the Peace, Commissioner for Declarations or solicitor.

Queensland Revenue Office is collecting the information on this form for the purposes of administering state revenue. This is authorised by the *Land Tax Act 2010*. Your personal information will not be disclosed without your consent, except in circumstances outlined in the *Taxation Administration Act 2001* or as otherwise authorised by law.

Queensland Revenue Office  
GPO Box 2476  
Brisbane Qld 4001

Email: [landtax@treasury.qld.gov.au](mailto:landtax@treasury.qld.gov.au)

Ph: 1300 300 734

Visit [qro.qld.gov.au](http://qro.qld.gov.au) for information about land tax and other state taxes.

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## Claim for transitional home exemption

### About this form

Complete this form if you acquire a new home but you have not completed the sale of your old home by 30 June.

Individuals and trustees can apply for this exemption—in the case of trustees, all the beneficiaries must meet the requirements of the exemption.

Before you begin, read the *Guide to claiming a transitional home exemption* to ensure you are eligible for the exemption and understand your obligations.

This form must be accompanied by a Form LT12 or Form LT13 home exemption claim for the home you were occupying at the liability date.

### Part A—Land owner details

#### Land owner details

Client number (if known)

#### Individual

Last name

First name

Middle names

#### Trust

Trust name

Trustee names

#### Liability date

This claim is made for land owned as at 30 June

 Y  Y  Y  Y

### Part B—Eligibility old home

#### Land details

Lot no.

Plan no. (e.g. SP, RP)

Street address Postcode

If you are still the owner of the old home at 30 June of the following year, your exemption will be removed.

#### Question 1

What is the date you or all the beneficiaries ceased, or intend to cease, occupying the old home?

 /  /

### Question 2

Was the old home occupied as your home or all the beneficiaries' home on 30 June of the previous year?

Yes ☐ No ☐

### Question 3

Will any part of the old home be rented or used to earn other income after you cease occupation?

Yes ☐ Provide details below. No ☐

## Part C—Eligibility new home

### Land details

Lot no.	Plan no. (e.g. SP, RP)	Street address	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### Question 4

What was the date of possession for the new home?   /   /

### Question 5

What is your intended date of occupation of the new home?   /   /

If you occupy the new home after the liability date, you must submit a home exemption claim for the next year even if you do not have a liability.

### Question 6

Will any part of the new home be rented or used to earn other income before you commence occupation?

Yes ☐ No ☐ Go to Part D.

### Question 7

Was the income earned under a lease or tenancy agreement entered into by the vendor?

No ☐ Go to Question 8. Yes ☐

Provide the following dates:

- Date entered into by vendor   /   /
- Term of lease/tenancy
- Date term ended   /   /
- Date the tenant vacated   /   /

## Question 8

What income was earned? Provide details below.

### Part D—Declaration

There is a strict requirement that you must occupy the new home and no longer own the old home at midnight on 30 June of the following year.

You must sign this declaration in the presence of a qualified witness.

I declare:

- (a) I have read the *Guide to claiming the transitional home exemption* and will keep it for reference.
- (b) The old home was my home or all the beneficiaries' home on 30 June of the previous year.
- (c) The old home will be sold before 30 June of the following year.
- (d) The new home will be my home or all the beneficiaries' home on 30 June of the following year.
- (e) At no time from 30 June of the previous year to 30 June of the following year will any income or rent be earned from either the old or new home, while I am or all the beneficiaries are not in occupation.
- (f) I will notify Queensland Revenue Office within 28 days if
  - the new home is not used as my home or all the beneficiaries' home on 30 June of the following year
  - the old home is still owned on 30 June of the following year
  - either the old home or new home is rented or used to earn other income.
- (g) The information supplied in this form is true and correct.

I understand that if I do not comply with these obligations, my liability will be reassessed and may include penalty tax and interest.

I understand that to make a false claim for the exemption may result in an additional penalty and/or prosecution.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Claimant signature

Date

Claimant name

Qualified witness signature

Date

Qualified witness name

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