



Capital Gains Tax on Sale of a real property by a company

Our fee covers:

- The capital gain calculation according to the information and documents received;
- Our appointment as an accredited tax representative prior to the transaction;
- The coordination of the statements with the notary;
- The inherent risk in our mission with no bank guarantee from the assignor in our favour;
- The communication of declaration 2048-IMM (one declaration by assignor) to the notary for filing by the relevant Authorities and payment of the due tax and social security contributions.

To act on behalf of the assignor (non-resident legal person), we will need:

- A power in favour of eurotax, signed by the assignor company's executive(s);
- The copy of an ID for each signatory on behalf of the assignor;
- A copy of an excerpt of the commercial register;
- A certificate of residence for tax purposes (corporate tax notice or other);
- The name, address and CRPCEN number of the notary in charge of drafting the deed;
- A certified copy of the deed of sale (or preliminary agreement) showing the actual sale of property date;
- The title of ownership (following an acquisition, shared gift, succession...)
- The original invoices in relation to repair work and expenses (real estate agency fee, diagnosis...) plus copies of the proofs of payment (these documents will be considered if the amount is higher than the legally applicable deduction.)

The above items will help determine:

- The property transfer price (selling price minus transfer costs, fiscal representation fee...)
- The property purchase price (purchase or transfer price with added acquisition fee and possible repair expenses.)
- The duration of ownership (to set the legal deduction that may apply.)

The main elements taken into account in the calculation are:

- The status of the assignor company;
- The place of establishment of the legal person: European Union, cooperative country outside EU or non-cooperative country;
- The duration of ownership of the real property (to which the transaction relates.)