



GAIL WADSWORTH, Clerk of the Circuit Court

1769 East Moody Blvd., Building #1 • Bunnell, Florida 32110
Website: www.flaglerclerk.com

Effective June 1, 2008, §201.022, F.S., is repealed, per Chapter 2008-24. The repeal means that the DR-219 form (Return of Transfers of Interest in Real Property), previously required as a condition of recording for any document transferring an interest in real property, will no longer exist.

Please be advised that §201.02(1), F.S., the **obligation to pay** documentary stamp taxes at a rate of \$0.70 per \$100.00 consideration (or fraction thereof), **is still in effect**. Also in effect is §201.02(3), F.S., the requirement that the documentary stamp taxes be **paid to the Flagler County Clerk of Circuit Court's office**, as County Recorder, upon recording of a deed or other document transferring an interest in real property.

Failure to pay the full amount of documentary stamps due will result in a penalty under §201.17(2)(b), F.S. The penalty is equal to 10 percent of any unpaid tax and may escalate to 50 percent of the unpaid tax, depending on the amount of time the tax is unpaid. Interest of one percent per month is charged based upon the amount of tax due from the date of recordation until the tax is paid.

This continuing obligation to pay documentary stamp taxes is based on the actual consideration or value paid for the deed transferring any interest in real property. If incorrect documentary stamp taxes are paid, penalty and interest may accrue.

"Consideration" is defined in §201.02(1), F.S., as ".....includes, but is not limited to, the money paid or agreed to be paid; the discharge of an obligation; and the amount of any mortgage, purchase money mortgage lien or other encumbrance, whether or not the underlying indebtedness is assumed. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed that the consideration is equal to the fair market value of the real property or interest therein."

If you need assistance calculating the correct documentary stamp tax amount, please use the Recording Fee Calculator which appears on our web page, www.flaglerclerk.com. You can find the calculator under *Records*.

If you have any questions, we suggest that you contact the Florida Department of Revenue Taxpayer Services, Monday through Friday, 8 a.m. to 7 p.m., ET, at 800-352-3671. Or you may want to contact James McAdams, Program Director; Property Tax Oversight, Florida Department of Revenue; PO Box 3000; Tallahassee, FL 32315-3000; 850-488-3338, dorpto@dor.state.fl.us.