

**EQUIFAX**



» User Guide

## Equifax Settlement Services Abstract Vendor Engagement Package

July 2011

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## **ABSTRACT VENDOR ENGAGEMENT PACKAGE**

420 Rouser Road, Airport Office Park, #3, Suite 5, Coraopolis, PA 15108  
(888-852-5373)

We appreciate your interest in becoming a qualified abstract provider for Equifax Settlement Services, ESS. For your review, we have attached our standard abstractor engagement package, which contains information regarding ESS expectations for preparing and delivering abstract reports.

We are looking for long term strategic companies who understand the value in becoming an ESS provider and share our passion for delivering industry leading Settlement Solutions.

ESS evaluates providers on several factors including delivery timeframes, report quality, website delivery, timely communication, and the most competitive fees for your market.

When considering these variables at the time of your engagement, be sure to regard the rewards of working within an exception management system, eliminating the day to day follow-up and repetitive transactional requests normally associated with a settlement services provider.

With every assignment, we will provide your office with a transactional order confirmation which will reiterate your contractual agreement as well as provide you with details specific to that assignment. Additionally, we will provide your office with a daily work in progress report reminding you of your promised communication dates and delivery dates. Please use this work in progress report as a reminder of order status communications which need to be communicated to us via our web site.

If you encounter problems at any time, we encourage you to contact one of our team of specialists at 888-852-5373. Please review the attached engagement package thoroughly. Return the completed documents noted on the next page to [titlevendors@equifax.com](mailto:titlevendors@equifax.com) for approval review. Once enrolled, you will receive a confirmation including your website username, password, and full instructions for our website around two weeks from receipt of your package.

Thank you for your interest in joining the ESS abstractor network. We look forward to growing with you!

Matt Morris  
National Vendor Manager  
Equifax Settlement Services

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# Abstractor Procedures

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## **ORDER ASSIGNMENT**

Please invest the necessary time to read each transactional assignment your firm receives from ESS. Detailed on these documents is not only information about the property you are being asked to search or record, but also specific instructions as to what is required on the report. In addition, this document details what type of product is being requested, the agreed upon fee, and the expected delivery timeframe. If at any time your office cannot comply with the assignment requirements please contact our Vendor Operations department at your nearest availability at (888)852-5373.

## **TIMEFRAMES**

You are responsible for completing and delivering the abstract orders within the timeframe noted on the assignment form. If you are unable to meet the established deadline, you must immediately notify our Vendor Operations department at (888)852-5373. Failure to produce reports within the established deadline without providing ESS with an acceptable reason for the delay, prior to the due date, may result in a reduction in future order volume, cancellation of orders in progress, and/or removal from the ESS vendor network.

## **QUALITY VS TIMEFRAME**

At no time should the due date of the report take on more significance than the quality of the report. Situations may arise whereby the complexity of the search prevents you from being able to complete the report within the previously agreed upon timeframe. In these situations, please call and inform the Vendor Operations department at (888)852-5373. This information will be passed on to our client as an exception to their normal expectations.

## **WORK IN PROGRESS REPORT**

A daily report will be systematically generated and transmitted via fax or e-mail to your office, noting current orders in progress. This report will arrive by 8:00 AM local time. Please review this communication to confirm order receipt and to determine if any updates need to be communicated to Equifax. Failure to do so may result in unnecessary phone calls between our offices.

## **COMMUNICATION**

Quality communication is the key to a successful relationship between ESS and its abstractor partners. ESS encourages its staff to have minimal day-to-day conversations with abstractor partners. This can only take place if basic communication rules are followed.

We require our abstractor partners to communicate to Equifax any time our agreed upon timeframes cannot be met. These timeframes can be viewed on the transactional assignments, the daily work in progress communication, and on eCommerce website under the "Open Props, Titles & Recordings" menu.

Non-urgent communication with ESS must be delivered via our website at [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices) using our "Order Status Update" feature. Once you have become an approved abstractor in our network, your office will be supplied with a user name and password that will allow you to utilize this and other features within the Vendor Access area of the ESS website.

Urgent notifications must be communicated to ESS via phone by dialing (888)852-5373.

If at any time your office feels the need to speak directly with ESS's Vendor Operations department, dial (888)852-5373.

Failure to effectively communicate properly with ESS will cause unnecessary communication for both of our offices. Any such incidents are documented by ESS and will be reviewed by ESS when considering future assignment decisions.

## **ABSTRACT REPORT DELIVERY**

Once you or your firm completes an assignment, the report data will be transmitted on the web at [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices), utilizing the login and password we will supply upon enrollment. The eCommerce application allows our abstractor partners to electronically input data obtained from the courthouse directly into ESS's System. Utilizing this application will eliminate handwriting errors, quality control rejects/requests, and fax/email costs, while improving your delivery timeframes and report quality. eCommerce is compatible with all web browsers and most operating systems, and can be utilized from your home, office, or courthouse. Abstract partners in the ESS Network are required to utilize this application for the delivery of their search products, exceptions being few and far-between.

## **REVIEW OF ABSTRACT**

ESS's Quality Control staff reviews each abstract report before they are delivered to our clients. In addition to reviewing for industry standard practices, our employees also review for any unique requirements the lender has defined to ESS. These requirements are included in the instructions, which appear on each order. Please ensure these requirements are met before transmitting your report to ESS, to avoid any unnecessary communication between our offices. Repeated quality concerns may be subject to a reduction in future order volume, cancellation of orders in progress, and/or removal from the ESS vendor network.

## **PRODUCT FEES**

Fee consideration for copies, mileage, fuel usage, and/or labor costs must be factored into the search fees. ESS will remit after orders have been completed and/or requested documents have been received. ESS will pay trip fees if the cancellation occurs after the report has been submitted. ESS does not remit for incomplete orders, or those cancelled prior to report submission.

## **PAYMENT**

ESS features auto-pay. Once The ESS Quality Control staff has reviewed and approved the abstract report, the order is billed which automatically triggers payment processing. Payment is usually remitted around a week after billing. Allow an additional week for mail delivery. It is the vendor's responsibility to ensure ESS has the correct product fees in place, prior to billing. Post-billing payment adjustments may be made upon approval by Vendor Management staff.

## Search Definitions and Parameters

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You may be called upon to complete several different types of search and/or to record executed security instruments. The following defines the types of searches that may be required from your office:

### **CURRENT OWNER SEARCH**

A search of land records is performed from the execution date of the current deed of record for the subject property forward, and complete information from that deed, including the legal description as reported, along with reporting complete information regarding open mortgages/deeds of trust, judgments, federal tax liens, pending suits, real estate taxes, UCC's encumbering the subject real estate, outsales, and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE are reported. This information should be reported via our eCommerce system on [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices).

### **INSTITUTIONAL LENDER SEARCH**

A search of land records is performed from the execution date of the most recently recorded purchase money deed for the subject property forward, and complete information from that deed, including the legal description as reported, along with reporting complete information regarding open mortgages/deeds of trust, judgments, federal tax liens, pending suits, real estate taxes, UCC's encumbering the subject real estate, outsales, and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE are reported. This information should be reported via our eCommerce system on [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices).

-- If open judgments and/or federal tax liens are evidenced in the report, you must provide full copies of those instruments. Note: provide actual judgment and lien copies; dockets are not acceptable.

-- If an open or satisfied mortgage to an institutional lender is evidenced in your research, you must report complete information regarding that instrument, including the satisfaction date, if applicable. At this point, then, your report is concluded. NOTE: Open assumed mortgages must show all deeds back to the original loan, if an open or satisfied lien is not evidenced on the current owner as well.

-- If an open or satisfied mortgage to an institutional lender is NOT evidenced in your search, you must perform a search on the prior owner of the subject property, reporting complete deed information, and any open or satisfied mortgages/deeds of trust, judgments, pertinent legal descriptions and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE. The prior reported deed must be a bona fide sale, evidencing a valid

### **INSTITUTIONAL LENDER SEARCH CONT.**

consideration (i.e., family conveyances do not count as a prior owner). Thus, it may be necessary to extend the period of the search to report additional chains of title beyond the two-owner assignment.

### **INSTITUTIONAL LENDER SEARCH WITH COVENANTS, EASEMENTS, AND RESTRICTIONS**

The search for covenants, easements, and restrictions affecting the property should be limited to the deeds which were researched within your report and/or any filed subdivision or plat map specific to the subject property. This information should be reported via the eCommerce system on [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices).

-- The same search parameters are required as set forth for the INSTITUTIONAL LENDER SEARCH, along with reporting all specifics on any covenants, easements, and restrictions affecting the subject property. In addition, you are required to examine the pertinent recorded subdivision, plat map of the subject property, if any, and report complete information on any covenants, easements, and restrictions affecting the subject property. Naturally, if the subject is a condominium, Planned Unit Development, or waterfront property, complete information regarding those matters need to be included in your report. You must also report any violations to the easements and restrictions if noted in public record.

### **FULL SEARCH**

A full search is performed for the prescribed number of years, as assigned, and the chain of title including the current deed of title for the subject property is reported, along with ALL MATTERS AFFECTING THE REAL ESTATE.

-- This report must be submitted in writing and include a copy of the current deed, notes of title, and full, actual copies of any open judgments or liens affecting the borrower, seller, and/or property. Contact the Vendor Operations department at (888)852-5373, to obtain a copy of the ESS abstract report template which is required for a full search.

### **DEED REPORT**

Report the grantor, grantee, recording information, recording date, dated date, assessment value, tax ID/APN/parcel number, and the entire legal description as it appears on the deed. Provide a full copy of the deed.



## **BRINGDOWN REPORT AND DOCUMENTATION RECORDATION**

In a few cases, after examining the mortgage/deed of trust for compliance with recording requirements, i.e., acknowledgement, proper fees, appropriate legal description, signatures, etc., you will perform a bringdown search from the EFFECTIVE DATE of your original search up to the day of recording. If you did not provide the original search then contact the Vendor Operations department at (888)852-5373 and request the effective date to bring forward from.

-- If you do not evidence any changes from the original search and if all grantees from the title deed have executed the respective mortgage/deed of trust exactly as title is vested, the instrument is to be recorded and specifics from the document (i.e. mortgagor(s), mortgagee(s), execution date, amount, recording date, instrument number or book and page of the recorded instrument, if available, and THE EFFECTIVE DATE OF YOUR BRINGDOWN SEARCH) are to be reported via the eCommerce system on [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices). This information must be reported verbatim from the recorded security instruments (for example, if the lender is Home Loan Mortgage Finance, do not report "Home Loan Mtg" but "Home Loan Mortgage Finance").

-- The same specifics are required for any ancillary documents received with the security instrument for recording, or under separate cover, i.e., deeds, subordination agreements, powers of attorney, satisfactions, etc.

-- If the bringdown search evidences any change from the original search, or if all grantees from the title have not executed the mortgage/deed of trust received for recording, DO NOT RECORD THE SECURITY INSTRUMENT, and contact an ESS Vendor Contract Manager at (888)852-5373, for further instruction.

## **UPDATE**

You will perform a bringdown search only, from the effective date of your previous report completed, and report any changes to the report along with the NEW EFFECTIVE DATE of the updated order, on the eCommerce system at [www.equifax.com/settlementservices](http://www.equifax.com/settlementservices). If you did not provide the original search then contact the Vendor Operations department at (888)852-5373 and request the effective date to bring forward from.

# Abstractor Engagement Form

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The below signed vendor hereby certifies that all abstract and security instrument recording assignments completed for Equifax Settlement Services will be in compliance with the requirements of the Financial Institutions' and Equifax Settlement Service's procedures.

**Please review and complete the following information:**

- Current Owner Search \$ \_\_\_\_\_ w/in 8 hours
- Institutional Lender Search or Institutional Lender \$ \_\_\_\_\_ w/in 8 hours
- Search with Covenants, Easements & Restrictions \$ \_\_\_\_\_ w/in 8 hours
- Full Search \$ \_\_\_\_\_ w/in 8 hours
- Deed or Mortgage Report \$ \_\_\_\_\_ w/in 8 hours
- Bringdown Report & Document Recordation \$ \_\_\_\_\_ w/in 8 hours
- Update only \$ \_\_\_\_\_ w/in 8 hours

**NOTE:** Please ensure any applicable sales tax is included in your fees noted above

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Pager #: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Do you have E&O Coverage? ( ) Yes ( ) No if yes, Exp Date: \_\_\_\_\_

Please sign below indicating your acknowledgement and agreement with the terms and conditions set forth in this agreement letter and ESS's Abstractors Procedures.

\_\_\_\_\_  
(Vendor Company Name)

\_\_\_\_\_  
(Printed Authorized Representative's Name)

\_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_  
(Date)

## Coverage Area

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Please list all the counties/cities/townships you or your company can cover. Please only include those areas where 8-hour turn time is guaranteed.

State \_\_\_\_\_ County/city/township \_\_\_\_\_

State \_\_\_\_\_ County/city/township \_\_\_\_\_

State \_\_\_\_\_ County/city/township \_\_\_\_\_

State \_\_\_\_\_ County/city/township \_\_\_\_\_

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State \_\_\_\_\_ County/city/township \_\_\_\_\_

State \_\_\_\_\_ County/city/township \_\_\_\_\_

# Abstractor Set-up Form

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Agency or Proprietor Name: \_\_\_\_\_

Primary Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Type of Business:    ( ) Individually Owned    ( ) Company    ( ) Corporation

If business established less than two (2) years ago, provide work history of proprietor or president:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Number of years in current line of business: \_\_\_\_\_

Please provide the names and years of experience for all searchers and examiners, including contracted or outsourced individuals. Please attach additional pages if more space is needed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Abstractor Set-up Form Cont.

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Please list specific types of examining, abstracting, or other searching experience (specify search types, i.e., one owner, full, lien search, etc.). Please attach additional pages if more space is needed:

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## References

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Business or Proprietor's name: \_\_\_\_\_

Phone nr: \_\_\_\_\_

If a business, please provide contact person's name:

\_\_\_\_\_

Years of association: \_\_\_\_\_

Volume per month: \_\_\_\_\_

Has any work completed by this business or person resulted in a claim?

Yes  No

If yes, how many and describe resolution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you regularly conduct business with this business or person?

Yes  No

Would you recommend this business or person for use in transfer or reconveyance of Real Estate?

Yes  No

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## References cont.

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Business or Proprietor's name: \_\_\_\_\_

Phone nr: \_\_\_\_\_

If a business, please provide contact person's name:

\_\_\_\_\_

Years of association: \_\_\_\_\_

Volume per month: \_\_\_\_\_

Has any work completed by this business or person resulted in a claim?

Yes  No

If yes, how many and describe resolution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you regularly conduct business with this business or person?

Yes  No

Would you recommend this business or person for use in transfer or reconveyance of Real Estate?

Yes  No

## References cont.

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Business or Proprietor's name: \_\_\_\_\_

Phone nr: \_\_\_\_\_

If a business, please provide contact person's name:

\_\_\_\_\_

Years of association: \_\_\_\_\_

Volume per month: \_\_\_\_\_

Has any work completed by this business or person resulted in a claim?

Yes  No

If yes, how many and describe resolution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you regularly conduct business with this business or person?

Yes  No

Would you recommend this business or person for use in transfer or reconveyance of Real Estate?

Yes  No



## Equifax Settlement Services Contact information

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Operations Team- the Title Operations Team is organized to ensure title search orders are placed with abstractors, to follow up with abstractors for status and ETA's, and to ensure abstract reports are received in a timely manner. Members of this team may communicate with our vendor partners directly or indirectly. They are also the party to be reached when our vendor partners need to discuss matters regarding orders (IE status, ETA's, no-finds, reassignment requests, require additional information, etc).

Operations Team contact information:

PHONE: (888)852-5373. (If voicemail picks up, please leave a message. Members of the Operations Team monitor voicemail throughout the day and will respond to messages in a timely manner.)

EMAIL: [opsteam202@equifaxsettlementservices.com](mailto:opsteam202@equifaxsettlementservices.com)

FAX: (800)228-3819

**COMPLETED ORDERS (if not submitted on the ESS website):**  
**[inboundfaxesfolder@equifaxsettlementservices.com](mailto:inboundfaxesfolder@equifaxsettlementservices.com) OR fax (800)593-5817**

Operations Team Manager- Ray Perez. Ray is the supervisor of the Operations Team. He is the contact person for escalated issues regarding orders. Contact him if you are having difficulty reaching the operations team or have an issue with an order which you believe needs to be escalated. Ray may also provide vendor performance counseling.

Ray Perez's contact information:

PHONE: (214)618-6291

EMAIL: [ray.perez@equifax.com](mailto:ray.perez@equifax.com)

Vendor Maintenance Team- the Vendor Maintenance team is responsible for receiving administrative updates and ensuring they are applied to our electronic vendor management system. Administrative updates consist of contact information changes, coverage area/fee schedule changes, evidence of current E&O coverage, W-9 submission, vacation notices, office closure notices, courthouse closure notices, etc.

Vendor Maintenance team contact information:

EMAIL: [titlevendors@equifax.com](mailto:titlevendors@equifax.com)

## Equifax Settlement Services Contact information cont.

Vendor Manager- Matt Morris. Matt is the supervisor of vendor relations. He is the contact for fee negotiations; performance counseling; turn time, quality, and cost reporting; vendor referrals; mass communications; compliance; and title search order instructions. Matt also oversees the activation and deactivation of vendor profiles within our electronic system.

Matt Morris's contact information:

PHONE: (214)618-6304

EMAIL: matt.morris@equifax.com

*NOTE: ESS will distribute notifications if and when any of the above contact information happens to change.*

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The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

#### Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

#### Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

#### Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

#### Specific Instructions

##### Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

**Other entities.** Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

## Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),

2. The United States or any of its agencies or instrumentalities,

3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,

4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or

5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,

7. A foreign central bank of issue,

8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,

9. A futures commission merchant registered with the Commodity Futures Trading Commission,

10. A real estate investment trust,

11. An entity registered at all times during the tax year under the Investment Company Act of 1940,

12. A common trust fund operated by a bank under section 584(a),

13. A financial institution,

14. A middleman known in the investment community as a nominee or custodian, or

15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

## Part I. Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.ssa.gov](http://www.ssa.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://IRS.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

**Signature requirements.** Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

### Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

### Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

### What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee <sup>1</sup>  The actual owner <sup>1</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A))	The grantor <sup>4</sup>
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.