

Successorship notice

Are you a successor?

RCW 82.32.140 provides that a successor is liable for any unpaid tax due from the predecessor of a business.

WAC 458-20-216 explains that you **are** a successor if:

- (1) You acquire more than 50% of the fair market value of either tangible assets (excluding real property) or intangible assets of the predecessor business in bulk and not in the ordinary course of the business;
- (2) You are a surviving corporation of a statutory merger; or
- (3) You are obligated to fulfill the terms of a contract as a surety or guarantor of a defaulting contractor, in which case you are deemed a successor only to tax liability arising out of that contract.

You **are not** a successor if you acquire more than 50% of the fair market value of either tangible assets or intangible assets of the predecessor business through insolvency proceedings, regular legal proceedings to enforce a lien, security interest, or judgement, or by repossession under a security agreement.

If you are a successor...

RCW 82.32.140 provides that a successor is not liable for any tax due from the predecessor of a business, if the successor provides written notice to the Department of such acquisition, and no assessment is issued by the Department within 6 months of receipt of such notice against the predecessor of the business and a copy is mailed to the successor.

You may provide this written notice by completing this form in its entirety and sending the completed form to the Department.

Predecessor information

Name _____ Account ID/UBI _____

Business name _____

Business address _____

Successor information

Name _____ Account ID/UBI _____

Business name _____

Business address _____

Date of acquisition _____

Did the successor acquire more than 50% of either tangible assets (excluding real property) or intangible assets of the predecessor of the business? Yes No

Method of acquisition:

- Asset purchase
- Merger
- Surety or guarantor of a defaulting contractor
- Other (explain) _____

Total acquisition costs _____

<u>Description of assets acquired</u>	<u>Estimated fair market value</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Authorized signature of the successor

Date

Title

Phone number

Please send this completed Successorship notice to the following address:

Department of Revenue
Attn: Successorship Notice
PO Box 47476
Olympia, WA 98504-7476

For tax assistance or to inquire about the availability of this document in an alternate format, please call 360-705-6705. Teletype (TTY) users may use the Washington Relay Service by calling 711.