WESTERN NORTH CAROLINA REAL ESTATE FOUNDATION
Real Estate Gift Checklist

The Community Foundation of Western North Carolina (CFWNC) and its supporting organization the Western North Carolina Real Estate Foundation (WNC REF) welcome your interest in making a charitable gift of real property.

Information about your property
Using the attached checklist as a starting point, WNC REF will gather as much information as possible from you about your property. Additional information and documentation may be requested. A member of the CFWNC staff or a WNC REF board member will typically visit the property in person.

Appraisal and environmental assessment
WNC REF requires an independent appraisal, provided by the prospective donor, for its consideration of gifts of real property. The appraisal must:

- be prepared in accordance with generally accepted appraisal standards (as defined by the Uniform Standards of Appraisal Practice (USPAS) published by the Appraisal Foundation, www.appraisalfoundation.org).
- be prepared, signed and dated by a qualified appraiser
- include all required information.

If the property has been used for commercial, industrial, manufacturing or agriculture, if its history is unknown or if there is reason to suspect environmental contamination, WNC REF may request or choose to obtain a Phase I Environment Audit.

Title
A current title commitment including copies of all recorded documents must be received and approved by WNC REF prior to transfer of title.

Transfer instrument and deed
WNC REF will provide a transfer instrument prior to the deed transfer. The donor is responsible for preparation of the deed.

Additional gift
Donors will be required to make an additional gift of cash or marketable securities from which property taxes, POA or HOA dues and/or other estimated costs of maintaining the property until it is sold are reimbursed to WNC REF. At the time of sale, any amount remaining will be added to the charitable fund named to receive the gift proceeds; if these or related costs exceed the additional gift(s) received, the deficit is deducted from sales proceeds.

WNC REF board approval
All proposed donations to the WNC REF composed in whole or in part of real estate, must be approved by the WNC REF board. After needed information has been provided, a report is made to the WNC REF board. This board, comprised of real estate and real estate transaction professionals, accepts or declines the property.

Charitable deduction
For most donors, the ability to claim a charitable deduction is an important consideration of a gift of real property. IRS Form 8283 ((“Non-Cash Charitable Contributions”; Treas. Reg. 1.170A-13(a).) and a qualified independent appraisal must be filed with the donor’s Federal income tax return for the year of the gift.

The IRS requires the qualified appraisal be no older than 60 days prior to the date of the gift. For these purposes, the term “qualified appraiser” means an individual who:

1) has earned an appraisal designation from a recognized professional appraiser organization or has otherwise met minimum education and experience requirements,
2) regularly performs appraisals for which he/she receives compensation, and
3) can demonstrate verifiable education and experience in valuing the type of property subject to appraisal and
4) meets the other requirements as prescribed in Treasury regulations.

According to the IRS, the following persons can never be qualified appraisers**:** (1) the donor; (2) a party to the donor’s acquisition of the property (3) the charity-donee; (4) anyone employed by any of the foregoing, or related to any of the foregoing; and (5) anyone used regularly by any of the individuals just listed unless the majority of the work is performed for others.

Sale
Once the property has been accepted by and ownership legally transferred to WNC REF, it will be offered for sale. WNC REF is solely responsible for property management, listing and engagement of real estate professionals and the terms of sale or transfer.

Getting started
To discuss a potential gift, please contact Sheryl Aikman, Vice President of Development at 828-367-9900 or aikman@cfwnc.org.

WESTERN NORTH CAROLINA REAL ESTATE FOUNDATION
PROPERTY REVIEW CHECKLIST

1. Exact legal name of donor/owner, address, contact person, phone number, email

2. Property ownership
   _____ Sole owner
   _____ Tenants by the entirety
   _____ Joint tenancy (w/right of survivorship)
   _____ Tenancy in common
   _____ Community property
   _____ Other (owned by trust, etc.)

3. How/when the property acquired? (purchase, inherited, gift, 1031 exchange, etc.)

4. Location and legal description of property

5. Assessed value and copy of current appraisal district tax records

6. Amounts for property taxes, HOA/POA dues, assessments and/or other costs

7. Information regarding mortgages or indebtedness, if any.

8. Maps, aerial photos and other documentation for the property**.**

9. Evidence of title, such as title examination and report, title insurance commitment, and schedule describing any liens, encumbrances, or title matters affecting the property.

10. Description of any buildings or other structures located on the land.

11. Current survey (within previous 12 months) by a registered land surveyor showing location of all structures, easements, and encumbrances appearing in recorded documents.

12. Description of prior uses of the property.

13. Description of uses of surrounding property, with specific disclosure of any wells, septic or sewer, storage tanks or other environmental factors affecting the property.

14. Disclosure of any contemplated or anticipated condemnations, right-of-ways ~~s~~ taking or other actions by municipalities that may affect the subject property.

15. Copy of any previous Phase I environmental reports on the property.

16. Radon test(s) information.

17. If income producing: leases, management and service contracts, two years of operating history

18. Disposition status *(Evidence of a prearranged sale may disqualify any charitable benefit of a real property donation.)*
    - Is the property currently listed for sale with a real estate professional?
    - Does anyone have an option to purchase the property or a right of first refusal?