

# APPLICATION FOR CONSENT TO TRANSFER PROPERTY OR RELEASE OF INHERITANCE TAX LIEN

Wisconsin Department of Revenue  
Inheritance & Excise Tax Bureau  
Post Office Box 8904  
Madison, Wisconsin 53708  
Telephone (608) 266-1231

Attach Consent and/or Release forms, in duplicate, to this application.  
Submit with proper remittance.

*Read instructions on reverse side before completing this application.*

ESTATE OF		DATE OF DEATH	DECEDENT'S SOCIAL SECURITY NO.	
ADDRESS OF DECEDENT AT DATE OF DEATH (NUMBER AND STREET OR RURAL ROUTE)		CITY	STATE	ZIP CODE

**THIS APPLICATION IS NOT A SUBSTITUTE FOR THE WISCONSIN INHERITANCE TAX RETURN WHICH MUST STILL BE FILED.**

**SECTION A** If an inheritance tax return has been filed, check here  and omit Sections B and C below.

Date inheritance tax return filed \_\_\_\_\_  
(INDICATE MONTH, YEAR)

If the inheritance return was filed more than one year ago, submit a copy of the return plus all schedules with this application.

**SECTION B** If an inheritance tax return has not been filed, this section **MUST** be completed.

Enter in the columns below the **total** estimated value of **all** property owned by the decedent. If none, indicate "none".

Property	Solely Owned Property		Jointly Owned Property		Insurance & Annuities	All Other Property (include gifts made within two years prior to death)
	Real Estate	Personal Property	Real Estate	Personal Property		
Value						

Indicate the total value of all property for which a Consent or Release is being requested. \_\_\_\_\_

If any of this property was solely owned, submit a copy of the domiciliary letters with this application.

Are there any other heirs in this estate besides the applicant?  Yes  No

**SECTION C** If an inheritance tax return has not been filed, this section **MUST** be completed.


The department will issue the Consent to Transfer Property or the Release of Inheritance Tax Lien whenever it is satisfied the collection of the tax will not be jeopardized. To help the department make this determination, please check the box below which is applicable to this estate. The inheritance tax rates and exemptions may be found on the back of this form.

- 1. There will be no inheritance tax due in this estate.
- 2. An amount approximately equal to the total inheritance tax due in the estate has been paid.
- 3. The person entitled to receive the property for which a Consent or Release is being requested will receive other property from the decedent's estate. The value of such other property exceeds the estimated inheritance tax owed by this person. Submit a copy of the decedent's will with this application.
- 4. There is a corporate personal representative acting (indicate name \_\_\_\_\_)
- 5. The personal representative or surviving joint tenant is **bonded** in an amount at least equal to the total inheritance tax which may be due in the estate.

**SECTION D** **DECLARATION**

I declare that this application has been personally examined by me and is, to the best of my knowledge and belief, true, correct and complete. I accept personal liability for the inheritance tax due, if any, for the property described on the Consent and/or Release and acknowledge responsibility for filing the inheritance tax return, if not already filed. If prepared by a person other than the surviving joint tenant, this declaration is based on all information of which the preparer has any knowledge.

SURVIVING JOINT TENANT'S NAME (PLEASE PRINT OR TYPE)		RELATIONSHIP OF SURVIVING TENANT TO DECEDENT	
SURVIVING JOINT TENANT'S ADDRESS			
SURVIVING JOINT TENANT'S SIGNATURE		DATE	TELEPHONE NUMBER ( )
NAME OF PREPARER IF OTHER THAN SURVIVING TENANT (PLEASE PRINT OR TYPE)		TELEPHONE NUMBER ( )	
PREPARER'S SIGNATURE AND TITLE			DATE

IF CONSENT/RELEASE SHOULD BE RETURNED TO PREPARER, INDICATE PREPARER'S ADDRESS  (PRINT OR TYPE)

**INTRODUCTION**

Property in which the decedent was a joint tenant at date of death will be released to the surviving joint tenant if the collection of any inheritance tax due will not be jeopardized. The information requested on this application should enable the department to determine if joint property may be released. Therefore, carefully complete this application. Please call us if you have any questions.

For deaths on or after July 1, 1982, any personal property which a surviving spouse is entitled to receive from a decedent may be transferred to the surviving spouse without obtaining the consent of the department. Examples of personal property appear later in these instructions.

**NOTE: This application is not a substitute for a Wisconsin inheritance tax return. An inheritance tax return, Form 101, Form 101A, or Form 101S must still be filed.**

**COMPLETE CONSENT AND RELEASE FORMS**

Enter the description of joint personal property to be released on the Consent to Transfer Property (form HT-206). Personal property includes such items as stocks, bonds, notes, mortgages, savings and checking accounts, and contents of safe deposit boxes. The description of joint real estate to be released should be entered on the Release of Inheritance Tax Lien (form HT-210).

All Consents and Releases must be completed and submitted to the department **in duplicate** along with one copy of this application. The original of the Consent or Release will be returned to you for filing with the financial institution, transfer agent or register of deeds.

You need not complete and submit this application if the Consents and Releases are submitted with the inheritance tax return.

Description of property required on a Consent to Transfer Property —

1. Savings and checking accounts—Indicate name of financial institution, account number, balance in account including interest accrued to date of death, and name of surviving joint tenant.
2. Stocks, bonds, notes and mortgages—Include full title of property and name of surviving joint tenant; for stocks also indicate certificate number and number of shares for each certificate; for bonds, notes and mortgages also indicate serial number, face value and interest accrued to date of death.
3. Safe deposit box—Indicate on Consent only the name of financial institution, box number and name of surviving joint tenant. Attach a schedule describing in detail all the contents of the box along with the estimated value and ownership of each item. A photocopy of an inventory taken in the presence of a bank representative is generally acceptable.

**CAUTION**—You may wish to obtain a separate Consent for each financial institution unless the institution will accept a copy of a Consent which includes property not within their custody. A separate Consent must be prepared for each transfer agent.

Description of property required on a Release of Inheritance Tax Lien— Enter the full legal description of the real estate, name of the surviving joint tenant and the street (or rural route) address of the real estate. More than one parcel of real estate may be entered on a Release if all the parcels are in the same county.

**FEE FOR CONSENT**

There is a \$5.00 fee for each Consent to be issued. The appropriate fee must accompany the application and Consents when submitted to the department. **THERE IS NO FEE FOR A RELEASE.**

**OTHER INFORMATION**

**PAYABLE ON DEATH ACCOUNTS.** A Consent should be obtained for solely owned savings and checking accounts which are payable to a designated beneficiary upon the decedent's death.

**IRA, H.R. 10 PLANS, ETC.** A Consent should be obtained for an individual retirement arrangement (IRA), H.R. 10 plan, Keogh plan or other similar retirement plan not established by an employer.

**SOLELY OWED PROPERTY.** A Consent or Release is not required to transfer solely owned property since the control of such property passes to a personal representative upon the decedent's death. However, if a financial institution or transfer agent requests a Consent or Release, the department will issue it upon the receipt of a properly completed application, together with the Consent or Release, the appropriate fee and a copy of the domiciliary letters appointing the personal representative.

**SOLELY OWNED PROPERTY LESS THAN \$5,000.** If solely owned property of a decedent is less than \$5,000, such property may be transferred to heirs via a form entitled "Affidavit for Transfer of Property (Under \$5,000)", form No. 52-A. This form is available from most financial institutions but not from the department.

**NONRESIDENT DECEDENTS.** Intangible personal property, such as savings accounts in Wisconsin or stock in a Wisconsin corporation, of a nonresident decedent (except residents of Nevada or a foreign country) may be released upon the receipt by the financial institution or transfer agent of an affidavit establishing that the decedent was not a resident of Wisconsin at date of death. Such property can be released because it is not subject to the Wisconsin inheritance tax. Tangible property, for example, currency, jewelry or coins of a nonresident decedent in safe deposit boxes in Wisconsin cannot be released by affidavit because this property is subject to the Wisconsin inheritance tax.

**Wisconsin Inheritance Tax Exemptions and Rates\*\***

RELATIONSHIP OF DECEDENT	Personal Exemptions	Balance of \$25,000	\$25,000 to \$50,000	\$50,000 to \$100,000	\$100,000 to \$500,000	Over \$500,000
A <sup>1</sup> Spouse (deaths on or after May 14, 1972 and before January 1, 1974)	\$50,000	2.5%	5.0%	7.5%	10.0%	12.5%
Spouse (deaths on or after January 1, 1974 and before July 1, 1979)	50,000	1.25	2.5	3.75	5.0	6.25
Spouse (deaths on or after July 1, 1979 and before July 1, 1982)	250,000	1.25	2.5	3.75	5.0	6.25
Spouse (deaths on or after July 1, 1982) All property received is exempt						
A <sup>2</sup> Lineal issue (children, grandchildren), lineal ancestor (parents, grandparents), wife or widow of a son, husband or widower of a daughter, adopted or mutually acknowledged child, or mutually acknowledged parent.						
Deaths on or after May 14, 1972 and before July 1, 1979	4,000	2.5	5.0	7.5	10.0	12.5
Deaths on or after July 1, 1979 and before April 13, 1984	10,000	2.5	5.0	7.5	10.0	12.5
Deaths on or after April 13, 1984 and before July 1, 1985	25,000	2.5	5.0	7.5	10.0	12.5
Deaths on or after July 1, 1985	50,000	2.5	5.0	7.5	10.0	12.5
B Brother, sister, or descendant of brother or sister (nephew, grandniece, etc.)	1,000	5.0	10.0	15.0	20.0	25.0*
C Brother or sister of a father or mother, or a descendant of such brother or sister	1,000	7.5	15.0	22.5*	30.0*	30.0*
D All others regardless of relationship to the decedent	500	10.0	20.0	30.0*	30.0*	30.0*

The personal exemption is applied against the lowest bracket.

The tax shall not exceed 20% of the value of the property transferred to any distributee.

\*For deaths on or after January 1, 1986, these tax rates are 20% instead of the rates shown.

The shaded brackets are only used in apportionment cases - s. 72.14(3).

\*\*The inheritance tax is being phased out over a 5-year period starting with deaths occurring in 1988. To compute the inheritance tax owed because a decedent dies in 1988 or thereafter, first calculate the tax using the personal exemptions and rates in the above table. Then reduce the tax computed as shown in the schedule to the right and the difference is the inheritance tax due.

Year of Death	Reduce Tax By
1988 .....	20%
1989 .....	40%
1990 .....	60%
1991 .....	80%
1992 .....	100% (no inheritance tax is due)