

## **680.0000 PROPERTY STATEMENT**

*See Deadlines For Filing*

**680.0010 Completeness.** A timely-filed property statement is not automatically full and complete upon receipt by the assessor. It is received subject to audit and therefore, it may be verified by other statutory means at the assessor's disposal. C 3/8/94.

**680.0025 Exempt Personal Property.** Vehicles and equipment that are registered with the California Department of Motor Vehicles or the Department of Housing and Community Development and for which a vehicle license fee is paid are not the type of property subject to local property taxation. Accordingly, such vehicles and equipment are not required to be reported on the business property statement.

Property leased to or owned by private non-profit colleges, free public libraries, or free museums is not automatically exempt. Whether leased or owned by a qualifying organization, a claim for exemption must be filed, and the property may qualify for exemption depending on whether it is used exclusively for the organization's exempt activities. Thus, such property must be included on the business property statement. C 5/11/2009.

**680.0030 Failure to File.** The ten percent penalty for failure to file an annual property statement is applicable where:

1. A statement has not been requested, property at multiple locations within the county has a total cost over \$30,000, no assessment has been enrolled, and no statement has been filed. Upon discovery, the penalty applies to all the unreported property. If the taxpayer had voluntarily filed a statement for one of the locations, the unreported property would be treated as an escape, but the penalty would not apply.
2. A statement has been requested, but no statement has been filed. A request by the assessor is a request for reporting all property in the county by location, and the penalty applies to all the unreported property. LTA 8/22/79 (No. 79/144).

**Note:** Stats. 1996, Ch. 1087 changed \$30,000 threshold to \$100,000.

**680.0035 Filing.** Capital leases are analogous to conditional sales contracts and financing leases. Accordingly, lessees under capital leases are considered the owners and assesseees of their respective leased properties. Such lessees are responsible for filing business property statements to report their leased properties, pursuant to Revenue and Taxation Code section 441. C 5/16/2002.

**680.0040 Leased to Government.** Under a "lease to ownership plan" or a direct financing lease, the federal government lessee is considered to be the owner of the personal property if the federal government has exclusive management, responsibility, and control, and must reimburse lessor for applicable sales taxes, use and gross receipts taxes, and personal property taxes. Even though the leased property is immune from property taxes, the private lessor is responsible for filing business property statements for the property under Revenue and Taxation Code section 442(c), unless the property is specifically exempted. C 12/23/2004.

**680.0090 Separate Statements.** Affiliated corporate assesseees must file separate statements for each business location within a county to the extent that the personal property of each in the county has an aggregate cost of \$30,000 or more, or if requested to file by the assessor. A parent corporation cannot file a single, combined statement on behalf of itself and its subsidiaries. C 10/16/78.

Note: Stats. 1995, Ch. 498 changed \$30,000 threshold to \$100,000.

[680.0100](#) **Statement Not Required.** Where a lessor leasing property to free public libraries or museums, public schools, community colleges, state colleges, state universities, or nonprofit institutions of higher education which have the option at the end of the lease to acquire the leased property for one dollar (\$1) of any other nominal sum, and where the lessor files an affidavit with the assessor within 120 days of the commencement date of the lease, or within 120 days of January 1, 1988, in the case of an existing lease, identifying the subject property and attesting to the purchase option, the lessor no longer needs to report the property on its annual property statement. The assessor should enroll the property as belonging to the exempt entity. LTA 3/9/88 (No. 88/20).