



**BAYVIEW
FINANCIAL®**

Exchange Services

1031

Handbook

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The information contained in this handbook is for informational purposes only and does not constitute tax, legal or accounting advice. You are advised to seek appropriate professional advice regarding your facts and circumstances.

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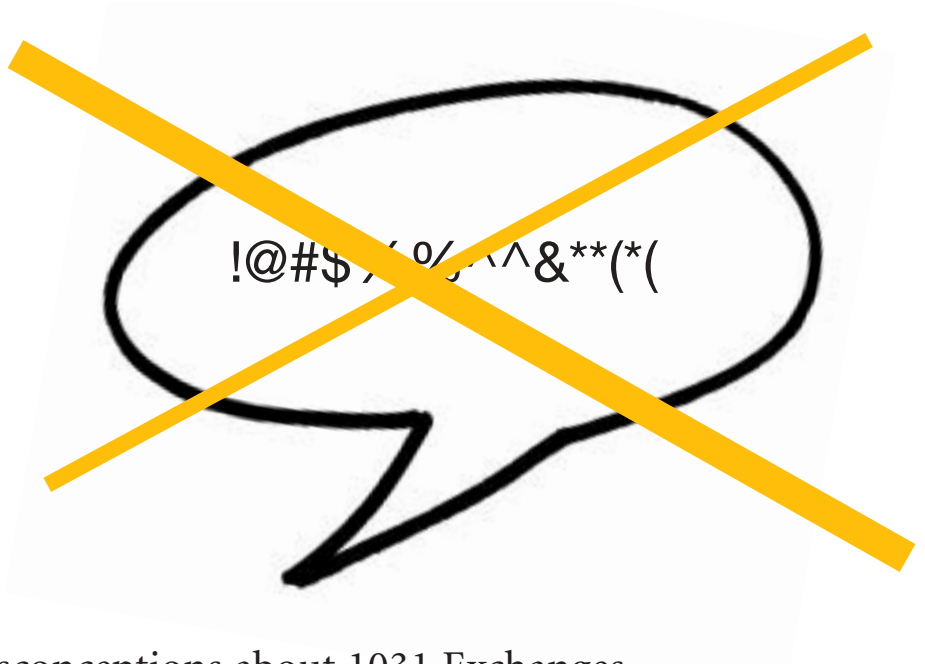


What is a 1031 Exchange?

Internal Revenue Code Section 1031 permits the deferral of capital gains taxes on the sale of property held for investment or productive use in a trade or a business.

In a Forward Delayed Exchange, the most common type of exchange, property is sold (Relinquished Property), and the proceeds are used to purchase another property (Replacement Property) within certain timelines. To qualify for safe harbor tax deferral, the sale proceeds must be held by a Qualified Intermediary between the sale of the Relinquished Property and the purchase of the Replacement Property.

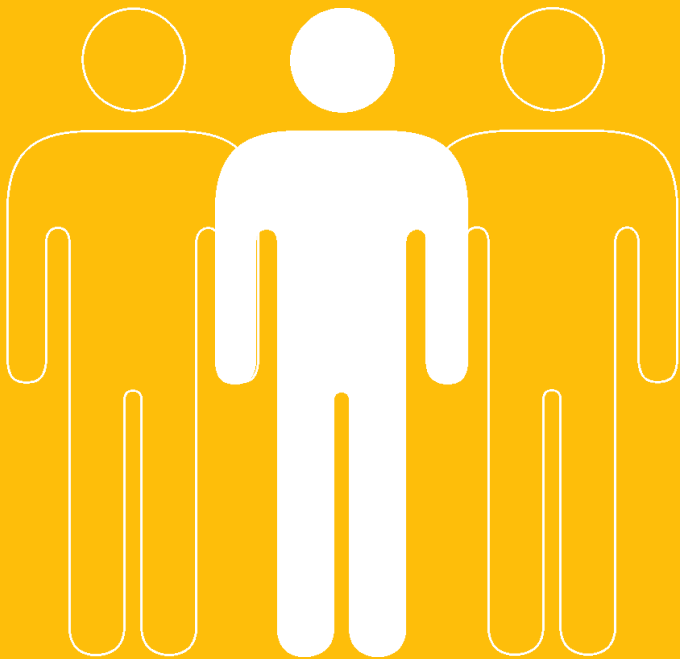
1031 permits deferral of federal capital gains taxes (15%), depreciation recapture (25%), and state taxes (generally 8% to 9% where applicable).



Common Misconceptions about 1031 Exchanges

- ✘ You must “exchange” one property for another simultaneously. – WRONG**
A one-for-one simultaneous exchange need not take place. In a Forward Delayed Exchange (the most common type of exchange), property is sold (Relinquished Property) and Replacement Property is purchased (Replacement Property) within 180 days following the sale of the Relinquished Property. In a Reverse Exchange, however, the Replacement Property is purchased before the sale of the Relinquished Property.
- ✘ The property purchased has to be the same type as the property sold to meet “like-kind” requirements. – WRONG**
Any real property is “like-kind” to any other real property under 1031 guidelines. This means that a shopping center can be “like-kind” for raw land, and an office building can be “like-kind” for a residence that is held for investment purposes.
- ✘ The 1031 Exchange is a loophole in the tax code. – WRONG**
Section 1031 has been a part of the Internal Revenue Code since the inception of the Code during the 1920’s. It is a valid tax deferral strategy, which stimulates investment and is not a gimmick or loophole in the Tax Code.
- ✘ I can hold the money from the sale of my property and use it to purchase replacement property without dealing with a Qualified Intermediary. – WRONG**
A “Qualified Intermediary” provides safe harbor protection for 1031 Exchanges. Without using a Qualified Intermediary an exchange may be reviewed by the I.R.S. and invalidated by the courts. A Qualified Intermediary must remain completely independent and cannot have been your agent (attorney, CPA, broker, etc.) in the past 2 years.
- ✘ If I am having difficulty with my purchase, I can extend the 1031 deadlines. – WRONG**
As general principle, there are no extensions for either the 45 or the 180 day rules. However, presidential orders may provide an extension to these deadlines in cases of declared emergencies. Examples include the terrorist attacks of September 11, 2001 and recent hurricanes.
- ✘ Through a 1031 Exchange, I never have to pay the capital gains taxes that would otherwise be payable. – WRONG**
A 1031 Exchange is a tax deferral strategy. Taxes are deferred, and the cost basis transfers from the Relinquished Property to the Replacement Property. Through continued 1031 planning, it may be possible to turn this tax deferral into tax savings.

How to [Select] a Qualified Intermediary



Security

Security is your most important concern. Be sure to select a Qualified Intermediary that you can trust with your hard earned funds. (Bayview 1031's parent is a \$10 billion company, so you can be assured that your funds are secure. Our work is insured and bonded.)

Service

You'll need to work closely with your Qualified Intermediary. Be sure that they are there when you need them. (Bayview 1031 can produce documents for your closing in minutes. Our national coverage assures that your exchange receives the highest regard for state and local laws.)

Experience

You are depending on your Qualified Intermediary to properly document and facilitate your 1031 Exchange. (With over 30 years experience in 1031 Exchanges, Bayview 1031's experts have handled all types of real property exchanges.)

Price

When selecting a Qualified Intermediary, be sure to look at the amount of the exchange fee, including all hidden costs. (Bayview 1031's rate for a complete Forward Exchange, both relinquished and replacement transactions, is one of the lowest in the market, and we pay interest on your funds.)



Exchange Basics

Before you begin the exchange process, be sure to consult with your tax or financial advisor to ensure that a 1031 exchange is right for you. Then, contact Bayview at 866.903.1031 and we will help you complete the exchange process in three easy steps:

Step One: Sale of the Relinquished Property

Before the sale of the first property (Relinquished Property), the Exchanger must complete the basic exchange documentation. At closing, the proceeds are delivered directly to the Qualified Intermediary.

Step Two: Identification of Replacement Property

The Exchanger must identify the property to be purchased (Replacement Property) within 45 days following the sale of the Relinquished Property. The taxpayer may generally identify *three* properties as a potential Replacement Property, or more under alternate rules of identification (see page 21).

Step Three: Purchase of the Replacement Property

The Exchanger must obtain the Replacement Property within 180 days following the sale of the Relinquished Property, which must be identified property. At closing, the proceeds are paid directly by the Qualified Intermediary, and the Exchanger receives the Deed to the Replacement Property.



Exchange Mechanics - *Getting a feel for your Exchange*

Although it is easy to state the Three Simple Steps of a 1031 Exchange, that does not give a feel for the process. Here are the mechanics of a 1031 Exchange transaction with Bayview 1031:

Step One. Complete a Client Worksheet and fax in a copy with your Contract for Sale. An Exchange Coordinator will contact you to confirm the details and then e-mail your Phase 1 Documents to the Settlement Agent. The only change to the Sale Documents is showing the Seller on your Settlement Statement as Bayview 1031, Qualified Intermediary. At closing, the Phase 1 Documents are signed followed by the Sale Documents. The closing proceeds are wired directly to Bayview 1031, as Qualified Intermediary.

Step Two. Within 45 days following your closing, you must identify replacement property(ies) by fax or online.

Step Three. Notify your Exchange Coordinator that you are ready to close on your replacement property and fax the Contract for Purchase and your Authorization to Release Funds to Bayview 1031. Your Exchange Coordinator will contact you to confirm the details and then e-mail the Phase 2 Documents to the Settlement Agent. The only change to the Purchase Documents is showing the Buyer on your Settlement Statement as Bayview 1031, Qualified Intermediary. Based on your written authorization, the closing proceeds are wired from Bayview 1031 to the Settlement Agent. At closing, the Phase 2 Documents are signed followed by the Purchase Documents and the closing proceeds are disbursed.

That's It - The Complete Process! Fast, Secure, Easy

Roadmap to a Successful Exchange



The Key Rules

- 1. Investment Intent.** Both the property sold (Relinquished Property) and the property purchased (Replacement Property) must be held for investment or productive use in a trade or a business (See Investment Intent on p. 31). None of the properties exchanged can be your personal residence (See Personal Residences on p. 35).
- 2. Time Frames.** Replacement Property(ies) must be identified within 45 days of the sale of the Relinquished Property and must be purchased within 180 days of the sale of the Relinquished Property (See 1031 Timeframes on p. 19).
- 3. Identification.** You can identify up to three Replacement Properties of any value during the Identification Period, or more subject to certain conditions. (See Rules of Identification on p. 21 for additional identification rules).
- 4. Like-Kind.** The Replacement Property must be “Like-Kind” to the Relinquished Property. Any type of real property is like kind to other real property. (See Like-Kind on p. 27).
- 5. Common Ownership.** The party selling the Relinquished Property must be the same party purchasing the Replacement Property or a disregarded entity with respect to that party (See Common Ownership on p. 33).
- 6. Property Value.** You must purchase a property of equal or greater value to the property sold or pay tax on the difference (See The Napkin Rule on p. 23).
- 7. Exchange Funds.** You must use all of the cash proceeds from the sale of your Relinquished Property towards the purchase of Replacement Property or pay tax on the difference (See The Napkin Rule on p. 23). If you offer Seller Financing on your Relinquished Property, you may be subject to tax as the principal is repaid (See Financing and 1031 on p. 25).
- 8. Qualified Intermediary.** To qualify for safe harbor tax deferral, sale proceeds must be held by a Qualified Intermediary between the sale of the Relinquished Property and the purchase of the Replacement Property.

Cooperation Clause



You may want to add the following Cooperation Clause language to your Contract when selling your **Relinquished Property**:

“In the event Seller so elects, Buyer agrees to cooperate with Seller in effecting a tax deferred exchange under Internal Revenue Code Section 1031 as amended. Seller shall have the right to elect this tax deferred exchange at any time prior to the closing date and to assign this contract in connection with such tax deferred exchange.”

If your contract does not include this Cooperation Clause, the contract can be amended at closing, provided the buyer does not object.

You may want to add the following Cooperation Clause language to your Contract when purchasing your **Replacement Property**:

“In the event Buyer so elects, Seller agrees to cooperate with Buyer in effecting a tax deferred exchange under Internal Revenue Code Section 1031 as amended. Buyer shall have the right to elect this tax deferred exchange at any time prior to the closing date and to assign this contract in connection with such tax deferred exchange.”

If your contract does not include this Cooperation Clause, the contract can be amended at closing, provided the seller does not object.

See www.cooperationclause.com



An Example 1031 Exchange

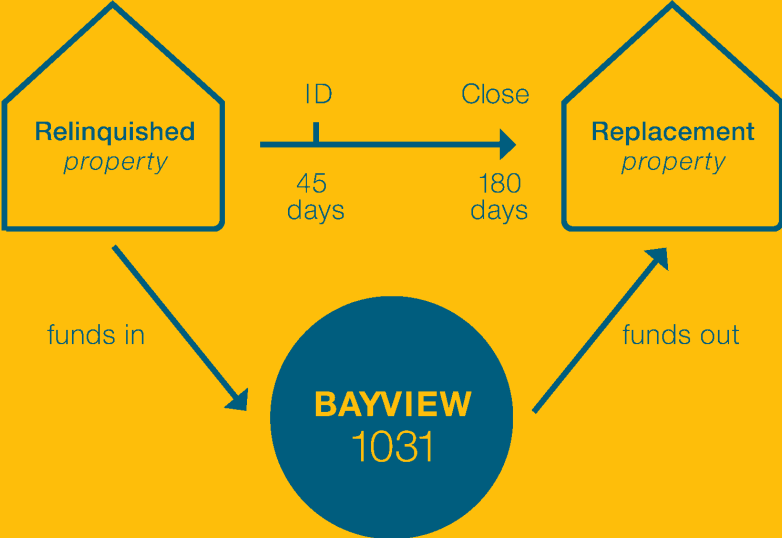
Tim decides to sell a duplex that he has owned for investment for 10 years. It was originally purchased for the amount of \$100,000, which is now worth \$850,000. His real estate broker has recommended that he engage in a tax deferred exchange, thereby deferring payment of capital gains taxes. The real estate broker finds Tim an office building valued at \$3,000,000 for his Replacement Property. Tim is successful in the exchange process and as a result does not pay capital gains taxes in the amount of \$112,500 (15% capital gains tax on \$750,000 profit.) He is able to purchase the office building leveraging the net proceeds from his duplex.

Tim was able to purchase a property worth \$450,000 more using a 1031 exchange.

	Sale	Exchange
Net Equity	750,000	750,000
Capital Gains Tax	112,500	0
Equity to Reinvest	637,500	750,000
Proposed Acquisition*	\$2,550,000	\$3,000,000

**(Presuming 25% Downpayment)*

1031 Timeframes (Deadlines)



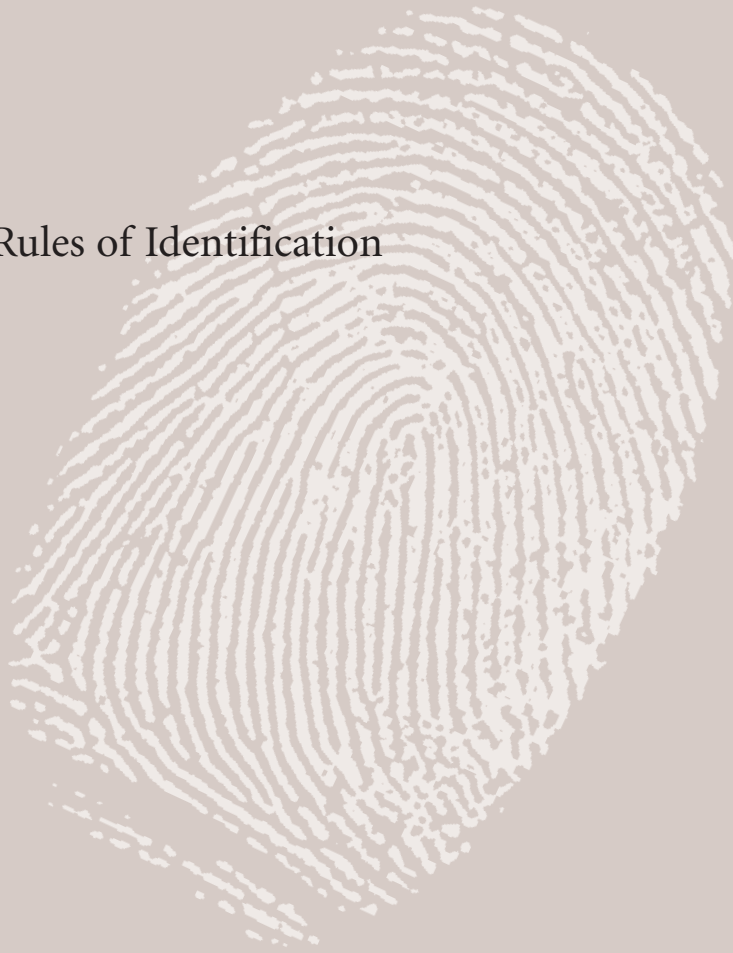
45 Days: You have 45 days from the sale of your Relinquished Property to identify your potential Replacement Properties. You can identify any property or properties, subject to the Rules of Identification. You do not have to have the identified property(ies) under contract in order to identify them.

180 Days: You have 180 days from the sale of your Relinquished Property to close on the purchase of your Replacement Property(ies).

1031 deadlines are firm, regardless whether the date falls on a Saturday, Sunday, or holiday. As a general principle, there are no extensions to these timeframes. However, presidential orders may provide an extension in cases of declared emergencies, such as the terrorist attacks on 9/11 or recent hurricanes.

The 1031 timeframe legally starts when the “benefits and burdens” of the Relinquished Property are transferred.

Rules of Identification



1. The Three Property Rule (most commonly used)

The Exchanger may identify up to *three* properties without regard to their value;

or

2. The 200% Rule

The Exchanger may identify more than three properties, provided their combined fair market value does not exceed 200% of value of the property sold;


or

3. The 95% Rule

The Exchanger may identify any number of properties, without regard to their value, provided the Exchanger acquires 95% of the fair market value of those properties.

The Napkin Rule - *Equal or Greater*





You must buy a property of equal or greater value to the property sold in order to completely defer the applicable capital gains tax. If you purchase a property of lesser value, you will be taxed on the difference.

You must use all the cash proceeds from the sale on your purchase in order to completely defer the applicable capital gains tax. If you do not use all your proceeds on the purchase, you will be taxed on the difference.

These rules are often referred to as the Napkin Rule, because they were allegedly originally written on a cocktail napkin by the drafters of the rule.

0%

Financing and 1031

Relinquished Property – Seller Financing

Seller Financing on the property to be sold (Relinquished Property) is considered boot, which means it is taxable in the year(s) that it is paid (considered an installment sale). There is a possibility that the Seller Financing can be placed into the exchange, but the note would have to be paid off or sold before the purchase of the Replacement Property or be used to purchase the Replacement Property.

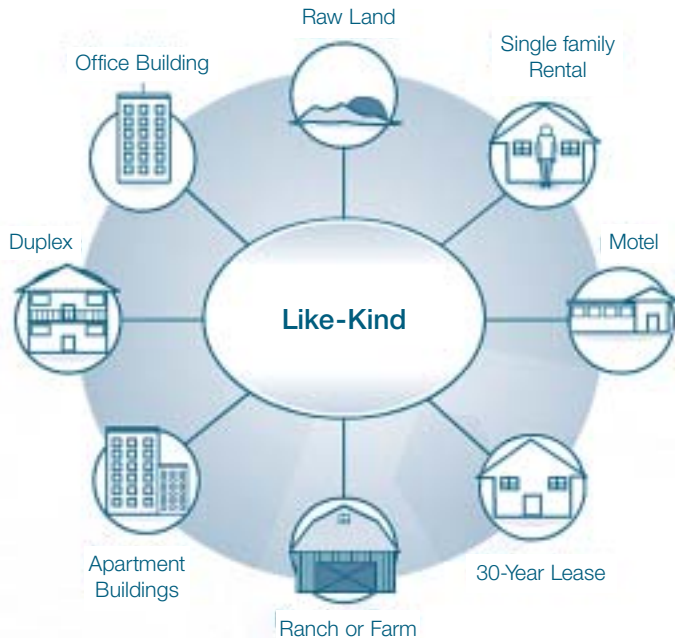
Replacement Property – Financing & Refinancing

Financing is not a problem on the property to be purchased (Replacement Property), provided the property purchased is at least as valuable as the property sold and provided that all the exchange proceeds from the sale are used to purchase the Replacement Property. The taxpayer can also consider putting additional financing on the Replacement Property after the purchase and completion of the 1031, but that should not be the intent of the taxpayer when making the purchase. Financing simultaneous to the purchase that puts cash in the taxpayer's pocket could also be taxable as boot.

LIKE KIND

Like-Kind Property

The property sold (Relinquished Property) in a 1031 Exchange must be “Like-Kind” to the property purchased (Replacement Property). In real property 1031 Exchanges, all real property is “Like-Kind” for other real property. This means that a shopping center can be “Like-Kind” for raw land, an office building can be “Like-Kind” for an investment residence, etc. In personal property, the “Like-Kind” requirements are much more restrictive. For example, a car is not “Like-Kind” for a truck.



LIKE-KIND

More on “Like-Kind” Real Property

Leases and Lease Options

In most states, a lease with a remaining term of 30 years or more is considered real property and can be exchanged for any other real property. In a few states, leases with a remaining term of less than 30 years may be considered real property. Options to extend the lease can generally be added to the lease term in calculating the length of the lease. Certain other conditions may apply to leases and lease options and their classification as real property.

Contracts

Although not settled law, recent rulings by the I.R.S. have expanded the application of options as real estate. This means that a contract for purchase of real estate may be considered real estate itself, "like-kind" to other real estate. Thus, a contract held with the requisite investment intent (see p. 31), may be exchanged for another contract or real property.

Condo Conversions

Recent rulings have broadened the application of investment intent to cover condominium conversions in some cases. Provided real property is held with the requisite investment intent (see p. 31), the later conversion to condominium (whether residential or commercial) and sale of individual units may not destroy that investment intent, thus qualifying the proceeds for tax deferral.

Oil, Gas, and Minerals

An interest in oil, gas, or minerals is considered real property if it is a royalty, an interest that continues for a long term or until the mineral deposit is exhausted. As real property, a royalty interest in oil, gas, or minerals can be exchanged for any other real property. In contrast, a production payment, generally short term, is considered personal property and not real property, so it cannot be exchanged for other real property.

Parking Spots and Boat Slips

Parking spots and boat slips are likely considered real property if they are considered and traded as real property in the state in which they exist.

Investment Intent



Property involved in a 1031 Exchange must be *held for investment or productive use in a trade or a business.*

When looking at investment intent, the courts will often look to the period of time over which the property is held. That said, there is no specific holding period requirement for either the Relinquished Property or the Replacement Property.

Taxpayers who hold their Relinquished Property for two years generally satisfy the requisite intent for a 1031 Exchange (or two tax reporting periods, because in an audit the I.R.S. may look backwards and forwards two tax years).

A holding period of over a year is commonly accepted but may be subject to review by the I.R.S.

A much shorter holding period has been accepted, in cases where a change in circumstances indicates that the taxpayer had intended to hold the property for a longer period.

The I.R.S. will look at ‘investment intent’ and will label a taxpayer quickly flipping property as a “dealer” vs. an “investor.”

Common

Common Ownership

In a 1031 Exchange, the party selling the Relinquished Property must be the same as the party purchasing the Replacement Property.

A 'disregarded entity', however, is considered the same as the taxpayer – such as an LLC or a trust, where a single taxpayer holds 100% of the beneficial interests in that entity.

A partnership cannot change partnership interests over 50% between the sale and purchase, as such a change would make the resultant partnership a different partnership. A partnership could, however, dissolve, dropping the property into the hands of its owners as “tenants-in-common,” and each owner could then treat his or her interest as a separate property.

As tenants-in-common, each owner is considered to have an individual undivided interest in a property, and that interest can be bought or sold or placed into a 1031 Exchange without regard to the actions of the other tenants-in-common.



Personal Residences

May I use my personal residence in a 1031 Exchange?

No. If, however, a portion of your property is held either for productive use in a trade or business or for investment, then that portion may be eligible for 1031 treatment.

What if I live on part of the property?

The taxpayer can split the transaction between 1031 and the personal residence exemption (I.R.S. Code Section 121 Capital Gains Exemptions: \$250,000 for an individual or \$500,000 for a married couple).


What about a Second Home or Vacation Home?

If the taxpayer has claimed the residence as a second home on their tax returns, he/she likely cannot exchange the property. Property is classified as a second home if the taxpayer uses the property for personal purposes for a number of days which exceed the greater of 14 days or 10% of the number of days during the year for which the property is rented for the fair market value.

May I do a 1031 Exchange and later move into the replacement property as my personal residence?

You cannot purchase the Replacement Property with the intent to move into it as a personal residence. If, however, you hold the Replacement Property for a sufficient time to establish the requisite intent for a 1031 Exchange, then you may move into the property and thus change the nature of the use of the property.

After moving into the property, a taxpayer may look to take the Section 121 exemption for personal residences. Under the recently enacted law, to gain the 121 exemption, the property must not have been the subject of a 1031 exchange in the previous 5 years (5 years from the purchase of the Replacement Property).



Holding your Money

Can exchange funds be used to pay closing costs?

Costs that are incidental to the sale or purchase are reimbursable to the taxpayer. Fees associated with loans, rental deposits, etc., must be covered by cash in the purchase of the Replacement Property or be considered boot.

Can exchange funds be used to pay deposits?

Your Qualified Intermediary may directly wire a deposit from funds held on your behalf. Alternatively, you may pay a deposit and be reimbursed from exchange proceeds.

Can exchange funds be returned to the taxpayer?

Yes, however, pursuant to I.R.S. Reg. 1.1031(k)-1(g)(6), every 1031 Exchange must provide that the taxpayer cannot receive his/her funds before the expiration of the exchange period. This means that in no event will exchange funds be returned to the taxpayer before 45 days. If the taxpayer identifies but fails to close on a replacement property, his/her funds cannot be returned until the 181st day.

How can tax *deferral* turn into tax *savings*?

Deferral →

1. If the Replacement Property is purchased with investment intent and later converted to a personal residence, the taxpayer may receive Section 121 exemption from a certain amount of taxes (\$250,000 for an individual or \$500,000 for a married couple). To gain the Section 121 exemption, the property must not have been the subject of a 1031 Exchange in the previous 5 years.

or

2. At the time of the death of the taxpayer, the heirs may be able to take the estate tax-free. This would depend on the applicable inheritance laws at that time (\$2,000,000 for an individual in 2006).

Savings

Types



of Exchanges ...

Simultaneous Exchanges

A Simultaneous Exchange occurs when two properties are exchanged simultaneously. This can happen when two properties are swapped, property for property, which is called a two-party exchange. This can also happen when a property is sold and the Replacement Property is purchased simultaneously. To ensure safe harbor protection, a Qualified Intermediary should facilitate the exchange.

Forward Delayed Exchanges

The most common type of exchange, the Forward Delayed Exchange, happens when a property is sold (Relinquished Property) and a property is purchased (Replacement Property) within 180 days following the sale of the Relinquished Property. For a safe harbor Forward Delayed Exchange, the sale proceeds must be held by a Qualified Intermediary between the sale of the Relinquished Property and the subsequent purchase of the Replacement Property.

Construction Exchanges

Construction Exchanges, or Build-to-Suit Exchanges, occur when the taxpayer uses the funds from the sale of the Relinquished Property to construct improvements on the Replacement Property. The property on which the improvements are constructed cannot be held by the taxpayer but must be held by a third party called an Exchange Accommodation Titleholder until either the improvements are complete or until the end of the 180-day Exchange Period, after which the taxpayer is deemed the Replacement Property with the improvements. Due to its complexity, a Construction Exchange incurs higher fees.

Reverse Exchanges

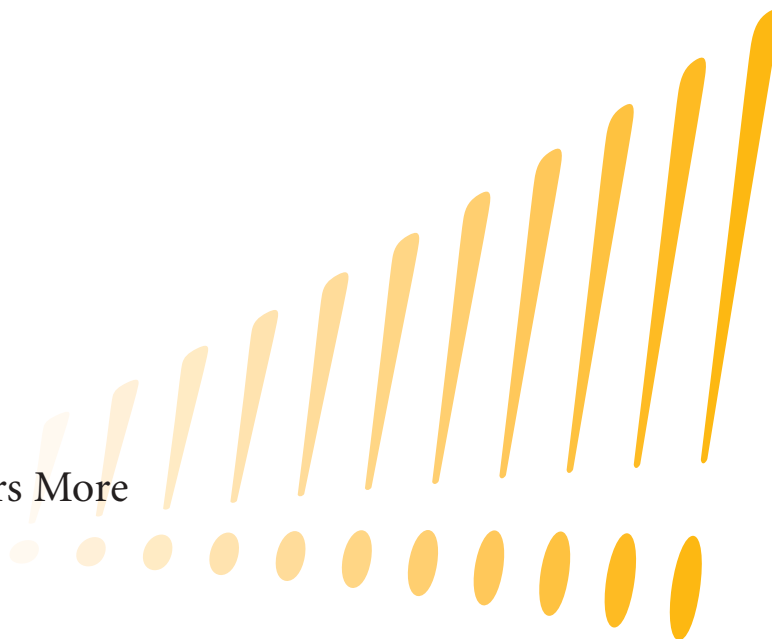
In a Reverse Exchange, the Replacement Property is purchased before the sale of the Relinquished Property. The Replacement Property must be held by an Exchange Accommodation Titleholder until the sale of the Relinquished Property, which must take place within 180 days following the purchase of the Replacement Property. Due to its complexity, a Reverse Exchange incurs higher fees.

TIC?
TIC?
TIC?

What is a TIC?

A TIC is a type of tenancy-in-common that is offered as a replacement investment property to 1031 Exchangers. TICs have sponsors that purchase the property and put financing on it. The properties generally have Triple-Net leases with A-rated tenants. TICs are sometimes sold as securities and sometimes as real estate. The Securities and Exchange Commission classifies TICs as securities (if not both securities and real estate). As a security, they can only be sold by a securities broker-dealer, and investors are given special disclosures and protections. Some TIC companies rely on legal opinions that TICs are real estate and not securities. Securities TICs are sold only by the broker-dealer and not directly by the sponsor. TICs are generally considered by investors that have managed a property but are looking for less active management in their replacement property.

Bayview Offers More



Bayview Financial Exchange Services, LLC, is a wholly owned subsidiary of Bayview Financial, L.P., a full-service real estate investment and mortgage finance company.

Commercial Loans

The Bayview family of companies specializes in commercial mortgage lending nationwide, with loan amounts starting at \$100,000 up to \$6 million.

bayview1031.com/loans

Replacement Properties

The Bayview family of companies has an inventory of properties available for identification or purchase as replacement properties.

bayview1031.com/properties

Client Extranet

Use advanced technology to track your funds held, interest accrued, disbursements, exchange deadlines, and identified properties. Add and remove property identifications securely online.

bayview1031.com/extranet

Partner Program

Consider joining our Bayview 1031 Partner Program for valuable tools and resources for business development by CPAs, attorneys, and other real estate professionals.

bayview1031.com/partners

Glossary

1031 Exchange - A 1031 Tax Deferred Exchange permits taxpayers to reinvest the proceeds from the sale of property held for investment or business purposes into another investment or business property and defer capital gains tax that would otherwise be due on the initial sale.

Boot - Property that the taxpayer receives in the exchange, which does not qualify as "like kind property." Cash proceeds are the most common form of boot. Boot is subject to taxation.

Capital Gain - Capital gain is calculated as follows: total selling price of the relinquished property, less exchange expenses, less the relinquished property's adjusted basis. The adjusted basis is the original cost, plus the cost of capital improvements, less depreciation or cost recovery deductions.

Cooperation Clause - Clause added to the purchase on sales agreement requiring the person who is not the exchanger to use his/her best efforts to assist the exchanger in consummating a 1031 tax deferred exchange.

Depreciation Recapture - Investment property may be depreciated over time, and that depreciation may be taken as a deduction against income taxes. On the sale, the depreciation deduction is "recaptured" and taxed at a rate of 25% of the amount depreciated.

Disregarded Entity - A Land Trust or Limited Liability Company (LLC) where the taxpayer is the sole beneficiary.

Exchange Period - The 180-day window in which the exchanger has to complete a tax deferred exchange.

Fair Market Value - The likely selling price as defined by the market at a specific point in time.

Identification Period - The time period that begins upon the close-of-escrow of the relinquished property. During this 45-day period, the exchanger must identify the replacement property in order to continue with the section 1031 exchange transaction.

Phase 1 - The process in which the relinquished property is sold, and all respective paper work for that process is completed. This process is also known as the “down-leg” of the tax deferred exchange process.

Phase 2 - The process in which the replacement property is bought, and all the respective paperwork for that process is completed. This process is also known as the “up-leg” of the tax deferred exchange process.

Qualified Intermediary - Intermediary, QI, accommodator, facilitator, qualified escrow holder. A third party that helps to facilitate the exchange.

Relinquished Property - The original property being sold by the taxpayer when making an exchange.

Replacement Property - The new property being acquired by the taxpayer when making an exchange.

Seller Financing - A loan on the sale of real property made by the seller, as the lender, to the buyer, as the borrower, which is generally secured by a mortgage or deed of trust on the property sold.

Settlement Agent - Title agent, closing officer, escrow officer, settlement officer, closing agent, closing attorney, settlement attorney.

Settlement Statement - A document prepared by a closing agent describing a real estate transaction, including the purchase price, deposits, prorations, loans, loan fees, pre-pays, escrows, and other closing charges - also called HUD-1 statement or closing statement.

Tax Advisor - Accountant, CPA, financial advisor, tax attorney.

Tax Basis - The original purchase price of a property, less depreciation taken and increased by improvement costs. It is used to calculate capital gains or losses for tax purposes.

Taxpayer - Client, investor, exchanger.

Tenancy In Common (TIC) - A fractional ownership interest in a piece of property, rather than owning the entire piece of property.

Triple Net Lease - A lease in which the lessee (tenant) pays rent to the lessor (landlord), as well as all taxes, insurance, and maintenance expenses that arise from the use of the property.

Call 866.903.1031

or

Visit bayview1031.com/worksheet

or

Complete the worksheet and fax to 866.903.6632

Getting Started

By completing this form you are not obligating yourself. Fees for a standard forward exchange are \$400 and billed on the Settlement Statement as part of your sale. Closing proceeds will be delivered directly to Bayview to be held on your behalf and disbursed at your direction for the purchase of your replacement property, subject to the terms of your exchange agreement. Interest will be paid on funds held.

Fax to 866.903.6632 or call 866.903.1031 or visit bayview1031.com/worksheet

Exchanger

Your Name: _____
Address: _____
City, State Zip: _____
Work Phone: _____ Home Phone: _____
Fax Phone: _____
E-Mail: _____ Birth date: _____

Property

Title Name: _____
Address: _____
City, State, Zip: _____
Buyer Name: _____
Closing Date: _____ Sales Price: _____
Equity: _____
SSN# / TIN#: _____ Add'l SSN# / TIN# _____
Property Type: commercial property investment residential other

Settlement / Escrow Agent

Name: _____ Phone: _____

Did you speak with a Bayview representative __YES__ NO Agent's name (if you know it): _____
Are you ready to do an exchange soon? __YES__ NO When are you selling your property? _____
Is the property that you are selling your homestead? __YES__ NO
Will you be providing seller financing on the sale of your property? __YES__ NO
Is the Seller/Exchanger a non-resident alien or foreign entity? __YES__ NO
Was the property held for investment or productive use in a trade or business? __YES__ NO
Is the Buyer of the Property related to the Seller/Exchanger? __YES__ NO
Does the Property include any significant items that are not traditionally included in the sale or real estate? __YES__ NO
When do you plan on purchasing replacement property? immediately 1 month 2-3 months 3-6 months
Where did you hear about Bayview 1031? __internet__ tradeshow __seminar__ ad __referral__ account exec __other

Stephen A. Wayner, Esq., C.E.S. First Vice President,
Bayview Financial Exchange Services, LLC
(pictured left)

Stephen A. Wayner, Esq., C.E.S. brings over 30 years of real estate industry experience to his position as First Vice President of Bayview Financial Exchange Services, LLC, a Qualified Intermediary. Throughout a distinguished career as a Real Estate Attorney and Qualified Intermediary, Stephen has closed over 7,000 real estate transactions and has become an expert in 1031 Tax Deferred Exchanges.

Stephen is recognized as the best selling author of *Buying Right – Getting Started in Real Estate* and for his numerous articles in publications such as *The Barrister*, *Miami Herald*, *Banker & Tradesman*, *The Tax Advisor*, *Real Estate Journal*, and *The CPA Journal*. For the past 15 years Stephen has been an educator on topics of real estate investing and 1031 exchanges, presenting to over 1,300 live audiences nationwide – organizations including National Association of Realtors, National Association of Real Estate Investors, and Association of Foreign Investors.

A graduate of the University of Miami with an Honors Juris Doctor degree, Stephen earned his place in the Top 10 of his class. He was elected President of both Academic Honoraries - Wig and Robe and Bar & Gavel. More recently, Stephen has earned the distinction of Certified Exchange Specialist (C.E.S) and the Alfred Ring Distinguished Speaker Award at the University of Florida. He remains an active member of the Federation of Exchange Accommodators, Florida Bar Association, Attorney's Real Property Council, and Attorney's Title Insurance Fund.

Mr. Wayner is available for presentations on 1031 Exchange topics – contact Stephen Wayner at 866.903.1031 or info@bayview1031.com

Adam C. Mishcon, Esq., First Vice President,
Bayview Financial Exchange Services, LLC
(pictured right)

Adam C. Mishcon, Esq., brings over 15 years of real estate industry experience to his position as First Vice President of Bayview Financial Exchange Services, LLC, a Qualified Intermediary. Throughout a distinguished career as a Real Estate Attorney, principal of a Title Agency, and head of a Qualified Intermediary, Adam has closed countless real estate transactions and has also become an expert in 1031 Tax Deferred Exchanges.

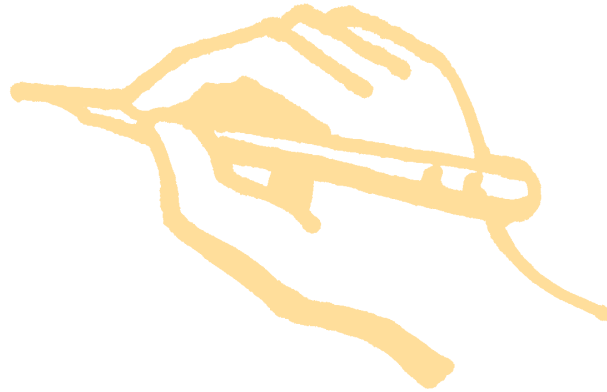
Adam has also brought his background as principal of a technology consulting firm to Bayview 1031, ensuring that exchange documents can be prepared in minutes, and providing clients with online access to exchange account data, funds held, exchange deadlines and identified properties. Adam's intimate knowledge of development platforms and communications protocols extends Bayview's ability to offer state-of-the-art services.

Adam is a graduate of Duke University Law School and Vanderbilt University, with honors. He remains an active member of the Federation of Exchange Accommodators, Florida Bar Association, and Attorney's Title Insurance Fund.

About the Authors



Bayview Financial Exchange Services, LLC focuses on facilitating 1031 Exchanges of real property, with unparalleled Pricing, Expertise and Security.



What our clients are saying...

"I had to write and tell you **how happy I am** with the service that I received. I will recommend Bayview Financial to anyone I know contemplating a 1031 exchange."

Linda G., San Francisco California

"I just had a **very positive experience** with my first like-kind exchange with Bayview. Simply put, [Bayview] did a **fantastic job.**"

Frank H., Attorney, Austin, TX

"I feel compelled to share with you that from my end, you provided **excellent service** and you were **very professional** through every step of the process. Certainly, you have a **satisfied customer** with me."

Udeth L., Investor, Orlando, FL

"They are customer focused and very efficient. Bayview makes it **simple.**"

Constance M., Investor, Bowie, MD

What professionals are saying...

"We now **better appreciate** the **value** and **opportunities** available through 1031 Exchanges and look forward to consulting when these opportunities present themselves."

Robert S., Attorney, Jericho, NY

"Keep me on your list for more events to make me the **best agent** I can be. I am **forever grateful.**"

Sheri S., Realtor/ Mortgage Broker, Palm Beach, FL

"I had nothing but **rave reviews!**"

Maryclaire D., Realtor, Ft. Washington, PA

