

**Note:** *The draft you are looking for begins on the next page.*



## **Caution: DRAFT—NOT FOR FILING**

This is an early release draft of an IRS tax form, instructions, or publication, which the IRS is providing for your information. **Do not file draft forms** and do **not** rely on draft forms, instructions, and publications for filing. We do **not** release draft forms until we believe we have incorporated all changes (except when explicitly stated on this coversheet). However, unexpected issues occasionally arise, or legislation is passed—in this case, we will post a new draft of the form to alert users that changes were made to the previously posted draft. Thus, there are never any changes to the last posted draft of a form and the final revision of the form. Forms and instructions generally are subject to OMB approval before they can be officially released, so we post only drafts of them until they are approved. Drafts of instructions and publications usually have some changes before their final release.

Early release drafts are at [IRS.gov/DraftForms](https://www.irs.gov/DraftForms) and remain there after the final release is posted at [IRS.gov/LatestForms](https://www.irs.gov/LatestForms). All information about all forms, instructions, and pubs is at [IRS.gov/Forms](https://www.irs.gov/Forms).

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product.

If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).

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|  |                  |  |  |   |
|--|------------------|--|--|---|
| FILER'S name, street address, city or town, state or province, country, ZIP or foreign postal code, and telephone number |                  | 1 Date of closing  | OMB No. 1545-0997<br><br><b>2021</b><br>Form <b>1099-S</b> | <b>Proceeds From Real Estate Transactions</b>   |
|  |                  | 2 Gross proceeds<br><br>\$   |  |   |
| FILER'S TIN  | TRANSFEROR'S TIN | 3 Address (including city, state, and ZIP code) or legal description   |  | <b>Copy A</b><br><b>For Internal Revenue Service Center</b><br><b>File with Form 1096.</b><br><br>For Privacy Act and Paperwork Reduction Act Notice, see the <b>2021 General Instructions for Certain Information Returns.</b> |
| TRANSFEROR'S name  |                  | 4 Check here if the transferor received or will receive property or services as part of the consideration <input type="checkbox"/>                     |  |   |
| Street address (including apt. no.)  |                  | 5 Check here if the transferor is a foreign person (nonresident alien, foreign partnership, foreign estate, or foreign trust) <input type="checkbox"/> |  |   |
| City or town, state or province, country, and ZIP or foreign postal code   |                  | 6 Buyer's part of real estate tax  |  |   |
| Account number (see instructions)  |                  | \$   |  |   |

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Form **1099-S** Cat. No. 64292E www.irs.gov/Form1099S Department of the Treasury - Internal Revenue Service  
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|  |                        |  |
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**Proceeds From Real Estate Transactions**

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| FILER'S TIN  | TRANSFEROR'S TIN | 3 Address (including city, state, and ZIP code) or legal description   |
| TRANSFEROR'S name  |                  | 4 Transferor received or will receive property or services as part of the consideration (if checked) . . . . ▶ <input type="checkbox"/>                      |
| Street address (including apt. no.)                                      |                  |  |
| City or town, state or province, country, and ZIP or foreign postal code |                  | 5 If checked, transferor is a foreign person (nonresident alien, foreign partnership, foreign estate, or foreign trust) . . . . . ▶ <input type="checkbox"/> |
| Account number (see instructions)  |                  | 6 Buyer's part of real estate tax<br>\$  |

**Copy B For Transferor**

This is important tax information and is being furnished to the IRS. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.

Form **1099-S**

(keep for your records)

[www.irs.gov/Form1099S](http://www.irs.gov/Form1099S)

Department of the Treasury - Internal Revenue Service

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## Instructions for Transferor

For sales or exchanges of certain real estate, the person responsible for closing a real estate transaction must report the real estate proceeds to the IRS and must furnish this statement to you. To determine if you have to report the sale or exchange of your main home on your tax return, see the Instructions for Schedule D (Form 1040). If the real estate was not your main home, report the transaction on Form 4797, Form 6252, and/or the Schedule D for the appropriate income tax form. If box 4 is checked and you received or will receive like-kind property, you must file Form 8824.

**Federal mortgage subsidy.** You may have to recapture (pay back) all or part of a federal mortgage subsidy if **all** the following apply.

- You received a loan provided from the proceeds of a qualified mortgage bond or you received a mortgage credit certificate.
- Your original mortgage loan was provided after 1990.
- You sold or disposed of your home at a gain during the first 9 years after you received the federal mortgage subsidy.
- Your income for the year you sold or disposed of your home was over a specified amount.

This will increase your tax. See Form 8828 and Pub. 523.

**Transferor's taxpayer identification number (TIN).** For your protection, this form may show only the last four digits of your TIN (social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN)). However, the issuer has reported your complete TIN to the IRS.

**Account number.** May show an account or other unique number the filer assigned to distinguish your account.

**Box 1.** Shows the date of closing.

**Box 2.** Shows the gross proceeds from a real estate transaction, generally the sales price. Gross proceeds include cash and notes payable to you, notes assumed by the transferee (buyer), and any notes paid off at settlement. Box 2 does not include the value of other property or services you received or will receive. See *Box 4*.

**Box 3.** Shows the address or legal description of the property transferred.

**Box 4.** If checked, shows that you received or will receive services or property (other than cash or notes) as part of the consideration for the property transferred. The value of any services or property (other than cash or notes) is not included in box 2.

**Box 5.** If checked, shows that you are a foreign person (nonresident alien, foreign partnership, foreign estate, or foreign trust).

**Box 6.** Shows certain real estate tax on a residence charged to the buyer at settlement. If you have already paid the real estate tax for the period that includes the sale date, subtract the amount in box 6 from the amount already paid to determine your deductible real estate tax. But if you have already deducted the real estate tax in a prior year, generally report this amount as income on the "Other income" line of Schedule 1 (Form 1040). For more information, see Pub. 523, Pub. 525, and Pub. 530.

**Future developments.** For the latest developments related to Form 1099-S and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/Form1099S](http://www.irs.gov/Form1099S).

**FreeFile.** Go to [www.irs.gov/FreeFile](http://www.irs.gov/FreeFile) to see if you qualify for no-cost online federal tax preparation, e-filing, and direct deposit or payment options.

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|  | 2 Gross proceeds<br>\$ |  |

**Proceeds From Real Estate Transactions**

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| FILER'S TIN  | TRANSFEROR'S TIN | 3 Address (including city, state, and ZIP code) or legal description   |
| TRANSFEROR'S name  |                  | 4 Check here if the transferor received or will receive property or services as part of the consideration <input type="checkbox"/>                     |
| Street address (including apt. no.)                                      |                  |  |
| City or town, state or province, country, and ZIP or foreign postal code |                  | 5 Check here if the transferor is a foreign person (nonresident alien, foreign partnership, foreign estate, or foreign trust) <input type="checkbox"/> |
| Account number (see instructions)  |                  | 6 Buyer's part of real estate tax<br>\$  |

**Copy C For Filer**

For Privacy Act and Paperwork Reduction Act Notice, see the **2021 General Instructions for Certain Information Returns.**

Form **1099-S**

[www.irs.gov/Form1099S](http://www.irs.gov/Form1099S)

Department of the Treasury - Internal Revenue Service

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## Instructions for Filer

To complete Form 1099-S, use:

- The 2021 General Instructions for Certain Information Returns, and
- The 2021 Instructions for Form 1099-S.

To order these instructions and additional forms, go to [www.irs.gov/Form1099S](http://www.irs.gov/Form1099S).

**Caution:** Because paper forms are scanned during processing, you cannot file Forms 1096, 1097, 1098, 1099, 3921, or 5498 that you print from the IRS website.

**Due dates.** Furnish Copy B of this form to the transferor by February 15, 2022.

File Copy A of this form with the IRS by February 28, 2022. If you file electronically, the due date is March 31, 2022. To file electronically, you must have software that generates a file according to the

specifications in Pub. 1220. The IRS does not provide a fill-in form option for Copy A.

**Foreign transferors.** Sales or exchanges involving foreign transferors are reportable on Form 1099-S. For information on the transferee's responsibility to withhold income tax when a U.S. real property interest is acquired from a foreign person, see Pub. 515.

**Need help?** If you have questions about reporting on Form 1099-S, call the information reporting customer service site toll free at 866-455-7438 or 304-263-8700 (not toll free). Persons with a hearing or speech disability with access to TTY/TDD equipment can call 304-579-4827 (not toll free).

February 22, 2020  
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