

INVESTORS - HAVE YOU PAID TOO MUCH STAMP DUTY? (August 2009)

There has been recent coverage relating to the fact that during the property boom, many investors in newly erected property, both residential and non-residential investment property, overpaid their Stamp Duty liability.

This overpayment appears to have arisen in circumstances where the investor's solicitor did not understand the interaction of VAT and Stamp Duty. In a nutshell, on newly erected property, the relevant rate of Stamp Duty is applied to the price of the property, excluding VAT. This method of calculation applies regardless of whether the purchaser is VAT registered or not.

If you are an investor that has overpaid Stamp Duty, then all is not lost, as it is permissible for you to make an application at this time to recover the overpaid Stamp Duty from the Revenue Commissioners.

Morgan McManus Solicitors are happy to advise and carry out this refund application on your behalf.

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