

Recording requested by (name):

Name of person recording the Homestead Declaration

Recorder's Use Only

When recorded mail to and mail tax statements to:

Name and address of person who should receive the stamped copy of this document when recorded, and tax statements from now on.

1/1/2018: In addition to standard fees, a new \$75 fee is charged for recording documents unless an exemption applies. See back of sheet for more info.

This can be found on the current deed or the tax bill.

# HOMESTEAD DECLARATION – SPOUSES AS DECLARED OWNERS

**Declaration of Exemption From Gov't Code § 27388.1 Fee**

Transfer is exempt from fee per GC § 27388.1(a)(2):

- recorded concurrently "in connection with" transfer subject to Documentary Transfer Tax
- recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier

Transfer is exempt from fee per GC 27388.1(a)(1):

- Fee cap of \$225.00 reached
- Not related to real property

Assessor's Parcel No. (APN):  
[Assessor's Parcel No.]

We, [Name of first spouse/DP], and [Name of second spouse/DP], do hereby certify and declare as follows:

1. We are married spouses or registered domestic partners.
2. We declare that we are joint owners of the following property located in the City of [City], State of California, commonly known as (street address) [Street address], and more particularly described as follows (legal description):  
[Enter legal description as written on deed. If you prefer, type (or photocopy) the description on a separate page labeled "Exhibit A," attach it, and enter "See Exhibit A" in this space].
3. We claim the property and the dwelling thereon as a homestead on behalf of both of us.
4. This property is our principal dwelling and we actually reside on this property on the date that this Homestead Declaration is recorded.
5. We own the following interest in the above declared homestead: [Interest owned, eg, joint tenancy, community property with right of survivorship, community property, etc.]

Copy this from the deed to the home

The facts as stated in this Homestead Declaration are known to be true as of our own personal knowledge.

Date: [Date Signed]

(Signature of declarant)

[Name of first spouse/DP]  
Print Name

Date: [Date Signed]

(Signature of declarant)

[Name of second spouse/DP]  
Print Name

The "interest" you own is the percent and form of title. Put the title stated on the current deed, like joint tenant, community property, etc. Mortgages don't count for this purpose.

## HOMESTEAD DECLARATION: SPOUSES AS DECLARED OWNERS

### NEXT STEPS:

1. Spouses declaring the Homestead both sign the Homestead Declaration in front of a notary public.
2. Record the Homestead Declaration at the Recorder's Office in the county where the property is located. If you attached the property description (instead of typing it out), be sure to include the attachment when you record the Homestead Declaration.
3. Fees: There are two fees: a filing fee (currently \$20/first page plus \$3/additional page in Sacramento) and (as of Jan. 1, 2018) a \$75 Building Homes and Jobs Act fee. Current Sacramento fees are available at the [Sacramento County Recorder's](http://www.ccr.saccounty.net/Pages/Fees.aspx) website at [www.ccr.saccounty.net/Pages/Fees.aspx](http://www.ccr.saccounty.net/Pages/Fees.aspx).

There are some exemptions from the \$75 fee. If you qualify, fill out the **Declaration of Exemption from Gov't Code 27388.1 Fee** box on page one of the declaration, or you will be charged. If not, leave it blank. For information on this new fee and exemptions, visit the [California Land Title Association's](http://www.cta.org/page/SB2CountyDocs) information page at [www.cta.org/page/SB2CountyDocs](http://www.cta.org/page/SB2CountyDocs) and select your county.

### FOR MORE INFORMATION

For more information about Homesteads, see our website at [saclaw.org/homestead-guide](http://saclaw.org/homestead-guide).

#### On the Web:

- Sacramento County Clerk-Recorder's Office  
<http://www.ccr.saccounty.net/>
- Sacramento County Assessor's Office  
<http://www.assessor.saccounty.net/default.htm>

Sacramento County Public Law Library  
609 9th Street, Sacramento, CA 95814  
916-874-6012  
saclaw.org