

PURCHASE PROCEDURE

购买程序

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1) SIGNING OF CONTRACT OF SALE

- 1) 签订销售合同

Once you choose an apartment and have reached a verbal agreement on the purchase price, the true purchase process begins. In the State of New York, the sale of a property goes through several phases. The signing of Contract of Sale (literally, the contract of sale) is the first of these.

当您选择了一处公寓而且就购买价格达成口头协议，真正的购买程序便开始了。在纽约州，房产的购买有几个步骤。签订销售合同（从字面上即是销售合约）是这些步骤中的第一步。

The purpose of the Contract of Sale, although different in kind, is in some ways comparable to a compromise in Italy. In practice in the Contract of Sale, the seller undertakes to transfer the property to the buyer and the latter undertakes to pay the agreed price to the seller. Please note, only once the Contract of Sale is signed by both the seller and buyer are parties legally bound to each other.

销售合同有不同的种类，从某些方面，它类似于意大利的一种承诺。在实践中，根据销售合同，卖方保证将该房产转交给买方，且买方保证以成交价格付款给卖方。请注意，只有当买方和卖方都签订销售合同，合同开始对签订双方具有法律效力。

Before signing this document the parties may terminate, without risking any consequences, any prior promise made or agreement reached. For this reason, if the buyer

does not want to take any chances of seeing the deal fade, it is important not to spend too much time between reaching an agreement with the counterparty and the signing of the Contract of Sale--especially if you have just agreed to an advantageous price for the property.

在签订合同之前，双方都可以中止任何之前许诺或协议，而无需承担任何风险。因此，如果买方不希望失去购买房产的机会，那么重要的是买方不应在与卖方达成协议和签订合同之间花太多时间，尤其是当您和卖方就某房产达成了很优惠的价格。

The Contract of Sale is a detailed account of all the aspects of the purchase/sale: cost, timing, method of payment, guarantees given to the purchaser and any probable deal making/deal breaking conditions such as the ability to obtain a mortgage. At this point, it is normal and highly advisable to be assisted by a trustworthy attorney. Besides negotiating the terms of the Contract of Sale prepared by the seller's attorney, the buyer's attorney will also verify the authenticity of the documentation produced by the seller. Specifically, he/she will study the Offering Plan (or else, the official document describing the property from both a legal and technical/architectural standpoint), originally filed with the Attorney General (a senior government official with warranty and certification powers, a kind of notary public) by the general contractor, which contains documents proving the habitability of the property, its subdivisions and its actual size. The attorney will also verify the exact amount of the Common Charges (condominium expenses) and Real Estate Taxes (property taxes).

销售合同是对购买和销售各方面都非常详细的一个说明: 费用, 时机, 付款方式, 给买方的保证, 和任何交易达成 / 取消的条件, 比如获得贷款的能力。在这一点上, 通常我们推荐由一位可靠的律师来协助办理。包括和卖方律师协商其准备的销售合同的条款, 买方律师也会确认卖方律师提交文件的真实性。特别是, 他 / 她会研究方案书 (或从法律和技术 / 结构描述该房产的正式文件), 该文件开始是由承包商提交给政府检察长 (拥有证明和保证权力的政府高级官员, 相当于公证人)。该文件包括证明该房产可居住, 房产的各个部分和实际面积的各种文档。律师同时也验证公用费用 (公寓费用) 和房地产税 (地产税) 的确切数目。

2) PAYMENT OF DEPOSIT

定金支付

The signing of the Contract of Sale is usually accompanied the buyer's deposit of 10% of the agreed upon purchase price. The attorney has an additional and important role in protecting the buyer's investment. This 10% deposit is not given to the seller but is placed in an Escrow Account (Trust Account) managed by his lawyer who will turn over this 10% amount to the seller only when the deed of change of ownership is produced—that is, only if the purchase has gone smoothly. In practice, the placement of money in an escrow account managed by an attorney enables the buyer to quickly and safely recover the sum paid if the sale fails to take place because of the seller.

在签订销售合同的同时，买方也支付双方同意的交易价格的 10%作为定金。律师在保护买方投资起到额外和重要的作用。这 10%的定金不会交给卖方，它将被放入保管账户（委托账户），该账户由卖方律师管理并且只当房产证书上的房产持有人发生改变之后，即购买顺利进行，卖方律师才能将定金交给卖方。实际上，如果由于卖方的原因导致交易失败，将钱放入由律师监管的保管账户可以帮助买方安全并迅速拿回定金。

The correct use of the funds in the trust account is guaranteed and supervised by the respected New York City Bar Association (the Bar of New York). Although embezzlement cases are very rare (a lawyer who does not behave properly with a client's money will lose his/her license to practice and risk severe criminal penalties), always hire a lawyer who has a good reputation and is used to working in Manhattan. (We do not advise hiring less expensive lawyers from Long Island or Brooklyn. They do not have the reputation of their colleagues in Manhattan.) We suggest that our clients ask their banks for referrals to reliable lawyers. We are also willing to recommend professionals we have worked with over the years, **many of whom are fluent in Italian.** ----

(Does this make any sense to the Chinese customers? If you decide to delete this sentence, you can also just delete the highlighted Chinese part.)

托管帐户资金的正确使用由受尊敬的纽约市律师协会（纽约律师公会）保证并监管。虽然资金被挪用的情况非常罕见（对客户资金行为不端的律师会被吊销他 / 她的营业执照和面对严厉的犯罪惩罚），还是要雇佣长期在曼哈顿工作并有良好声誉的律师（我们不建议雇用来自长岛或布鲁克林收费廉价的律师，他们没有他们在曼哈顿同行的良好声誉）。我们建议我们的客户询问他们的银行并由其推荐可靠的律师。我们也可以向你们推荐和我们合作很长时间的律师专家，**他们中的很多人可以说流利的意大利语。**

Once he/she signs the Contract of Sale, the seller cannot turn back. He/she is legally obligated to transfer ownership of the property to the buyer. For his/her part, the buyer may lose his/her deposit if he/she fails to come up with the the balance of the purchase price within the time agreed in the Contract of Sale.

当他 / 她签订的销售合同，卖方不能毁约。他 / 她负有法律责任来将房产拥有权移交给买方。对买方而言，如果他 / 她不能在销售合同上注明时间内支付剩余的购买款项，买方将会损失他 / 她已经支付的定金。

3) PRESENTATION OF THE BUYER TO THE CONDOMINIUM

公寓共同管理委员会对买方的审查

Unless you are buying directly from the contractor, the next phase upon signing the Contract of Sale is the buyer's submission of an Application to the condominium. With the Application, the buyer asks for a waiver (Waiver) to the right of first refusal (Right of First Refusal) on the apartment he/she wants to buy. In fact, all buildings have a legal right of first refusal on sales within the condominium. **To grant the waiver of that**

right, aspiring condominium owners are asked to complete a questionnaire (which we will assist you in completing in the easiest and fastest way). They are also asked to produce certain documents containing personal information such as tax returns and references from neighbors, friends or relatives (it seems incredible but this is how it is). This rule exists to prevent the arrival of a new neighbor, who might be undesirable, to purchase an apartment in one's building. This should be no cause for concern, however because the right of first refusal, although it exists in theory, is never exercised.

除非您直接从承包商那里购买房产，签订销售合同的下一步是买方提交一份申请给公寓共同管理委员会。在申请书中，买方会向其要求关于他 / 她所购买公寓的优先拒绝（首次拒绝权）弃权书。事实上，所有的公寓大厦对共同管理房产中的出售都有合法的优先拒绝权。为了获得该弃权书，公寓的买方会被要求完成一份问卷调查（我们会帮助您用最容易和迅捷的方式完成）。买方同时也会被要求提供某些包括个人信息的文档，比如退税，来自邻居，朋友和亲戚的推荐函（这看起来有点难以置信，但事实是这样）。这准则是用来防止潜在的不受欢迎邻居在该建筑物中购买公寓。这无须担心，因为优先拒绝权，虽然在理论上存在，但从未被使用过。

Although it is simply an annoying formality, the information required to obtain the Waiver should be provided with diligence otherwise one cannot proceed to the transfer of ownership. The aspiring buyer's documentation is presented to the condominium's Board which meets to vote on waiving the right of first refusal. This phase, which can take some time (especially in summer) can go from two to five weeks.

虽然这是一个令人不快的程序，还是必须审慎的提供为获得弃权书所需要的信息，否则将会导致产权移交无法进行。买家的文件会被提交到公寓共同管理委员会，他们开会投票来决定是否放弃优先拒绝权。这一步骤的完成需要一些时间（尤其是在夏天），所需时间为2到5周。

Many of the documents required for the application can also be useful if the buyer intends to obtain a mortgage from a bank to finance the purchase of the property. 如果买方想从银行申请贷款来完成房产的购买，申请中的很多文档将会很有用处。

4) TITLE INSURANCE 产权保证保险

Before completing the purchase process, the buyer will have to verify the correctness of the title and the absence of any claims on it. The full ownership of the insurance product sold and the absence of mortgages, taxes or other claims is obtained by purchasing Title Insurance in the United States.

在完成购买程序之前，买方验证产权的正确性和是否遗漏任何声明。在美国保险产品的完全所有权以及贷款，税务及其它声明的遗漏都可以通过购买产权保证保险来获得。

Title Insurance is prepared by a leading insurance company. It guarantees the buyer the full amount of the purchase price against the risk of eviction. With this system, the buyer gets a double guarantee: On the one hand, the Title Insurance certifies full ownership of the property on the part of the seller and the freedom of the same debt, mortgages or other encumbrances that may last even after the purchase; on the other hand, Title Insurance operates as a standard insurance contract by which the issuing company is obligated to pay the buyer if irregularities not uncovered in their search should emerge in the future.

产权保证保险会由一家领先的保险公司准备。他保证买方全价购买到该房产而不会被驱逐。在这套体系里，买方得到双重保护：一方面，产权保证保险会验证买方对房产的完全所有权，从而免于被债务，贷款和其他对不动产的抵押权的困扰，这些有可能会持续到购买完成之后；在另一方面，产权保证保险和其他的保险一样，如果有在他们研究过程中没有发现的违法行为在未来产生影响，保险公司有责任赔偿买家。

The cost of Title Insurance is regulated by individual states and in Upstate New York varies between 0.50% and 0.75% of the purchase price (and is proportionately more expensive for buildings of lesser value). Again, it is your attorney's responsibility to obtain Title Insurance for you.

产权保证保险费用由各州监管，在纽约上州，费用大约是购买价格的 0.50%和 0.75%之间（对于价格较低的建筑而言，其相对比例会更高一些）。重申一次，这是您律师的责任来帮您办理产权保证保险。

5) OWNERSHIP STRUCTURE

产权结构

Before completing the purchase, you should decide whether you wish to purchase the property in your own name, through a company or in the name of a third party. In general, the alternatives are:

- i) Purchase in your own name or in a Joint Tenancy **with or without an accretion to a Right of Survivorship**)
- ii) Purchase of bare property and separate from use (Life Estate)
- iii) Purchase through an LLC (Limited Liability Company)
- iv) Purchase through a Corporation
- v) Purchase through a property fund or Real Estate Investment Trusts (REITs)

This is an important choice which involves balancing interests, taxes and administrative costs. It is absolutely necessary to obtain legal advice from one's lawyer and/or American accountant on this.

在完成购买程序之前，您应该决定您是否希望将房产放在您自己的名下，公司名下或第三方名下。一般说来，有以下选择

- i) 在您自己的名下购买，或以有或没有遗产享有权的方式来共同购买
- ii) 仅购买财产，使所有权和使用权分离（终生产业）

iii) 通过有限责任公司购买

iv) 通过公司法人购买

v) 通过地产基金或房地产投资信托购买

这是一个重要的选择，它将关联到平衡利息，税收和管理费用。从相关方的律师和 / 或美国会计师处咨询是绝对必要的。

Vivaldi Real Estate provides its area-registered clients with a series of confidential documents which, without claiming to substitute for legal or tax advice, can help the buyer get an idea of the alternatives available to him/her.

威瓦蒂（Vivaldi）房地产公司提供机要文档在其区域内注册客户来帮助买房了解对他 / 她合适的各种选择，这些文档不能替代法律或税务建议。

6) CLOSING AND DEED

交割和房契

The last step in buying a property is the Transfer of the Deed (transfer of title) from the seller to the buyer. Once the Waiver is released and the research done by the Title Insurance does not reveal any irregularities or facts stated by the seller, the buyer will transfer the remaining 90% of the purchase price to the trust account managed by his/her lawyer. At this point, the lawyer will go to the seller's lawyer's office along with the representative from the company issuing the Title Insurance and using the funds transferred by the buyer, will pay the balance due. In exchange for the agreed upon price, the attorney receives the title of ownership (Deed) that the insurance company, in coordination with the lawyer, will record with the local authorities thus ensuring the buyer full ownership of the property.

购买房产的最后一步是从卖方到买方的房契转让（所有权转让）。一旦弃权书被公布和产权公司的调查没有发现卖方的任何违规行为，买方将剩下 90% 购买款项交给他 / 她的律师管理的信托账户。在这时，律师将会与产权保证保险公司的代表一起，用买方转账的资金到卖方律师办公室付清剩余应付的款项。当交割完毕，律师会拿到所有权证书（产权证书）。在律师的协调下，保险公司将会和当地政府部门纪录这项交易从而保障买方完全的财产拥有权。

It is not necessary for the buyer to be present at the closing. He/she may delegate the completion of this task to his/her attorney. Powers of Attorney can be issued and sent from most foreign countries to New York using the services of notaries at U.S. consulates abroad.

买方并不需要在成交的时候出现。他 / 她可以让其律师作为代表来完成这项任务。可使用美国在海外的领事馆的公证服务给律师发出授权书并从国外运到纽约。

Taxes and Investment-Related Costs
税收和投资相关的费用

- 1) TAXES
- a) Transfer Tax
- b) Mansion Tax
- c) Real Estate Tax
- d) Income Tax
- e) Capital Gains Tax
- f) Mortgage Recording Tax
- g) Estate Tax

- 1) 税费
- a) 交易税
- b) 大厦税
- c) 房地产税
- d) 收入税
- e) 资本获利所得税
- f) 贷款记录税
- g) 房地产遗产税

2) BUYING EXPENSES

- a) Legal Fees
- b) Title Insurance
- c) Broker's Fee
- d) Processing Fee

2) 购买费用

- a) 法律费用
- b) 产权保证保险
- c) 中介佣金
- d) 手续费

3) SELLING EXPENSES

- a) Legal Fees
- b) Broker's Fee
- c) **Broker's Fee**
- d) FIRPTA

2) 出售费用

- a) 法律费用
- b) 中介佣金
- c) 中介佣金
- d) 房地产外国投资税收法案

4) MAINTENANCE EXPENSES

- a) Common Charges
- b) Management
- c) Tax Return
- d) Insurance
- e) Gratuities

4) 维护费用

- a) 一般费用
- b) 管理费
- c) 退税
- d) 保险
- e) 小费

1) TAXES

税收

Listed below and explained are real estate taxes imposed in Manhattan on a purchase made by an individual. If the purchase is being made through a company, the amounts may vary depending on the case. There are five types of taxes normally imposed upon real estate investment in New York:

在曼哈顿个人购房的房地产税负分列并解释如下。如果公司购房，税费会根据具体情况而变化。通常在纽约的房地产投资里有五种税负：

a) Transfer Tax - The transfer fee (similar to the registration tax) is paid by the buyer only when the seller is a contractor or developer and it is **a first subdivision**. The federal, state and local transfer tax for preowned apartments is approximately 1.85% of the purchase price and due from the seller at closing.

交易税 – 只有当卖方是承包商或者开发商的情况下，才由买方支付交易费（类似于注册费）。对于二手房，联邦政府，州和当地交易税大概有成交价格的1.85%，并由卖方在交割时支付。

b) Mansion Tax - The luxury tax (an estate tax) is due when the property changing hands is selling at a price equal to or above one million dollars. The amount is equal to 1% of the sale price and is payable by the buyer at closing.

大厦税 – 当交易的房产价格等于或高于 1 百万美元，则应付奢侈税（一种房产税）。该税的额度为销售价格的 1%并由买方在交割时支付。

c) Real Estate Tax - The property tax is a local tax paid semi-annually by the property owner. The amount varies depending on the size of the apartment, the luxuriousness of the building and the building's location in the city. Some buildings where many elderly tenants live have lower real estate taxes relative to their category but the average real estate taxes in a luxury building range from \$90-120/sq meter/year.

房地产税 – 房产税是一种地方税，由房地产拥有人每半年交一次。其额度根据公寓大小，建筑的豪华程度和在城市里的位置而变化。一些有许多年老房客的大楼相对于同样的建筑里有较低的税率，但是平均起来，豪华大厦的房地产税在每年 90-120 美元 / 每平方米。

IMPORTANT – There is a 10-year tax abatement in many new construction or totally renovated buildings. Initially, the property taxes are extremely low and increase gradually over the ten years that the building benefits from the tax abatement. One can learn immediately what the property taxes would be without the abatement and then predict what they would amount to once the ten years have passed. This is very important information because nearly all buildings that initially have tax abatements have very high taxes in the end. The initial property tax amount **and system** is an important tool for evaluating the intrinsic value of the apartment and its profitability.

重要 – 对许多新建筑或全部重新装修的建筑，有 10 年的减税额度。一开始，得益于减税额度，建筑的房产税会极低，然后在十年里逐渐增长。如果没有减税，你可以迅速了解房地产税会是多少，然后预测出十年之后的房地产税额。这是非常重要的信息，因为基本上所有开始有减税额度的建筑最后都会有很高的税费。初始房产税额和系统是评估公寓的内在价值和回报率的一个重要工具。

d) Income Tax - Income tax is paid annually only on the property's income deducted from the gross income (rents):

i) all interest expenses;

ii) a depreciation of 3.7% /year of purchase price for the first 27 years,

iii) local taxes;

iv) all management expenses, including

- common charges;
- administrative and management costs;
- repairs
- any telephone charges, travel, legal, advertising;

收入税 – 收入税每年支付，仅限于从毛收入（租金）中扣除的该房产的收入：

- i) 所有的利息税;
- ii) 对于前 27 年, 折旧费为购买价格的 3.7% /每年;
- iii) 地方税;
- iv) 所有的管理收费包括
 - 常用收费;
 - 管理费用;
 - 修理费用;
 - 任何电话费用, 差旅费, 法律费用, 广告费用;

In general, the sum of all the deductions makes the taxable income very low if not zero. On this (if any) , one pays taxes on income ranging from 28% to 37%. **In Italy**, the law requires that taxable profit, calculated according to U.S. tax law, and generally very limited, be declared in the tax return along with any taxes already paid in the U.S.

一般来说, 扣除所有费用之后的应课税收入会非常低, 如果不是 0 的话。基于此 (如果有的话), 个人所支付的税费会是收入的 28% 到 37%。在意大利, 法律要求应课税的利润必需在退税中和其他在美国已支付的税费一起申报, 其根据美国税法计算而且一般是很有限的。

e) Capital Gains Tax - The capital gains tax is calculated by adding all purchase expenses including legal fees, probable renovation, full property insurance, reasonable expenses related to the purchase (such as air travel and hotel during the search phase) and then depreciation used is deducted.

资本增值税 – 资本增值税由所有购买费用计算而来, 其包括法律费用, 潜在的装修费用, 全部的房产保险, 和购买相关的合理费用 (比如在寻找过程中的航空旅行和酒店住宿费用), 而且折旧费用也被扣除。

On the capital gains computed above, there is a federal tax of 15% for individuals and 28% for corporations plus other state and local taxes that are about 14% of the capital gains tax.

在以上计算的资本获利中, 联邦税率对个人是 15%, 公司是 28%, 还有一些州和地方税, 这些大概占 14%的资本获利所得税。

IMPORTANT – It is possible to avoid payment of the Capital Gains Tax using the so-called Like Kind Exchange 1031 by buying another similar property anywhere in the U.S. similar to the one sold and not of less value. The payment of the tax is postponed to the next sale. This opportunity can be used more than once over time. In addition to the taxes listed above, one must also consider the following taxes that occur only under specific conditions:

注意— 有可能同类财产置换—1031 条款来避免资本获利所得税，同类财产置换是指在美国其它地方购买一处类似的房产而且价格不低于出售的房产。因此税可以被推迟到下一笔交易。这种机会可以使用很多次。除以上列出的税种，还要必须考虑在某些特别情况下产生的税负：

f) Mortgage Recording Tax - The registration tax for the mortgage loan and equal to 2.8% of the loan amount. By law, mortgage loans can be repaid at any time without a penalty.

贷款记录税 – 抵押贷款的注册税为贷款额的 2.8%。根据法律，抵押贷款可以在任何时候偿还而无须受罚。

g) Estate Tax - The estate tax is very high for non-resident aliens, and it is therefore so important to plan this well with your attorney. As indicated previously, Vivaldi Real Estate provides its registered customers with a series of confidential documents and private information which, without claiming to offer legal or tax advice, can still help the buyer to form an idea of the available alternatives.

房地产遗产税 – 对于外国非居民而言，房地产遗产税非常高；因而和您的律师计划好这件事非常重要。在上面已经申明，威瓦蒂（Vivaldi）房地产公司提供机要文档在其区域内注册客户来帮助买房了解对他 / 她合适的各种选择，这些文档不能替代法律或税务建议。

2) BUYING EXPENSES

购买费用

The following additional expenses should be added to the purchase price:

以下额外的费用应算入购买费用中：

a) Legal Fees - The legal fees for the purchase of a property typically range from \$3000 to \$5000, depending on the legal work requested. For buildings under construction or newly constructed buildings, legal fees may increase because of the special attention that must be given to the Contract of Sale and the Offering Plan.

法律费用 – 在房地产购买中法律费用通常在 3000 到 5000 美元之间，其取决于所需求的法律事务。对于在建或新建成的建筑物，法律费用由可能增加因为对交易合同和方案书需要特别关注。

If you buy through a company (Corporation, Inc., Limited Liability Company) you must prepare to spend an additional \$4000 unless there are complex shareholder agreements, for which the amount may increase by many thousands of dollars.

如果您通过公司（公司，有限责任公司），您必须准备花费额外的 4000 美元，除非公司有复杂的股东协议书。如果这样，还可能多花费几千美元。

b) Title Insurance - The title insurance is issued by a leading insurance company that guarantees the full ownership, **the absence of liens, mortgages, etc. ... not declared on the property sold**. If problems arise, the insurance will assume the responsibility to correct or, if this is not possible, reimburse the purchaser to indemnify the full amount paid. Title Insurance is not a compulsory expenditure, but it is strongly recommended. The cost of Title Insurance varies between 0.50% and 0.75% of the purchase price of the property.

产权保证保险 – 产权保证保险会由一家领先的保险公司准备，它保证买方完全的所有权，在出售的房产商没有留置抵押权，贷款，等等。如果有问题，保险将有责任来改正错误，或者，如果这没有可能做到，保险将全款赔偿买方。产权保证保险并不是强制性的支出，但是我们强烈推荐。产权保证保险的费用在房产价格的0.50%与0.75%之间。

c) Broker's Fee - The agency commission is paid by the seller. The sale price already includes their commission, therefore is never an additional cost to the buyer. This is true even if the purchaser is assisted by his own consultant (the Buyer's Broker). If more brokers are involved in the sale and only the seller's broker loses, the seller and the broker have to share the commission with the buyer's broker according to New York State law.

中介佣金 – 卖方支付代理人佣金。出售价格已包含他们的佣金，因而对买方而言这不再是额外的费用。即使买方有自己的顾问（买方经纪人），这还是没有额外费用。如果有更多的经纪人与这项销售相关，卖方经纪人则会损失，根据纽约州法律，卖方和买卖双方经纪人分享佣金。

For properties other than apartments (entire buildings and offices), buyer and seller pay their respective brokers separately. The fees in this case vary between 1% and 3% of the purchase price, depending on the value of the property.

对于除了公寓之外的房产（整个建筑和办公室），买卖双方各自支付自己的经纪人。在这种情况下，费用在销售价格的1%和3%之间，该费用依赖于房地产的价格。

d) Processing Fee - Administrative costs for obtaining a waiver of the right of first refusal in the condominium vary greatly depending on the luxuriousness of the building. In general, the total cost is around \$1,000 and is paid only upon transfer of ownership.

手续费 – 在公寓共同管理委员会获得优先拒绝权弃权书的管理费用变化范围很大，其取决于建筑物的豪华程度。一般来说，总花费在一千美元左右，而且只在所有权交割时支付。

3) SELLING EXPENSES

销售费用

The buyer should consider having to deduct the following costs from the purchase price
买方应该考虑从购买价格中扣除以下费用

a) Legal Fees - Legal fees depend on the work required. They are generally lower than the costs incurred to purchase (see above).

法律费用 – 法律费用取决于所需求的法律事务。

b) Broker's Fee - The agency fee usually amounts to 6% of the purchase price. Almost all apartments in Manhattan are sold through brokers appointed by the sellers.

中介费用-中介费通常是购买价格的 6%。曼哈顿几乎所有的公寓都是通过卖方指定的中介来售卖的。

c) FIRPTA – The state requires foreigners to make a deposit of 10% of the purchase price to guarantee the payment of taxes due. The amount will be returned after a few months once the authorities have completed the necessary checks. In many cases, the lawyer can see to it that the buyer avoids paying this deposit.

房地产外国投资税收法案--纽约州要求外国购房者支付购房价格的 10%的定金，来保证支付税收。这项定金一旦政府机构完成了一些必要的检查后，几个月内就会返还。在很多情况下，律师会负责帮助买方避免支付这笔定金。

4) MAINTENANCE EXPENSES

4) 维修费用

a) Common Charges - These are always paid by the condominium owner. The amount varies depending on the services of the building (many buildings have recreation rooms, gyms, swimming pools, saunas etc. ..). normally common charges include heating, hot water, concierges, insurance for common structures, etc. ... These are amounts that can be as high as \$10/sq meter per month.

a)常用费用- 这些费用通常由公寓所有人支付。费用数量根据不同楼盘的服务而各不相同（许多楼盘有休闲室，热水，游泳池，桑拿房等等）。通常这项费用包括供热，热水，门房，公共设施保险等。这些费用可以每个月高达\$10/每平方米。

b) Management - The management of the apartment includes all activities and the resolution of problems pertaining to the owner. If the owner does not reside in New York, he may choose to avail himself of the service of the many management companies in Manhattan.

b)管理-公寓的管理包括所有的活动以及业主问题的解决。如果业主不在纽约，他可以利用曼哈顿许多的管理公司的服务。

Vivaldi Real Estate also provides exclusive management services for its customers, i.e. those who bought apartments through Vivaldi Real Estate. The standard management service offered by Vivaldi Real Estate costs \$200 per month and includes:

威瓦蒂房地产公司同时也向顾客提供独一无二的管理服务，比如，那些通过威瓦蒂购买房产的顾客。威瓦蒂提供的标准管理费用是每月\$200，包括：

- i) payment of all expenses;
- i) 支付所有费用;
- ii) research and verification of tenants' credentials;
- ii)研究和确认租房者的资格;
- iii) rent collection;
- iii)收房租;
- iv) the general willingness to solve various types of problems.
- iv)愿意解决各式问题。

A detailed list management expenses program offered by Vivaldi Real Estate is available in the "Services" section of its website.

详细的威瓦蒂公司提供的管理费用计划可以在这个网站的“服务”这一项里找到。

c) Tax Return - The income tax statement made through an accountant costs \$500/year if the owner of the property is an individual, \$3000/year if it is a corporation.

c)退税-如果房产拥有者是一个人，每年由会计人员申报的收入所得税的服务费用是\$500，如果是公司，则为每年\$3000。

d) Insurance – Homeowners Insurance (Fire & Liability) costs between \$500-\$1000/year.

d)保险-房屋拥有者保险（火灾&责任）费用为每年\$500-\$1000。

e) Gratuities - Tips to concierges/porters at Christmas time are traditional. Although it is a social obligation and not a legal one, in Manhattan it is very important to maintain a good relationship with the staff.

e)小费-圣诞节支付小费给门房/搬运工是一项传统。虽然这只是一项社会责任而不是法律上的责任，在曼哈顿跟员工们维持良好的关系非常重要。

PRACTICAL CASE, A SAMPLE PURCHASE

实际案例，购买样本

EXAMPLE OF A CONTRACT OF SALE, COMPLETE WITH COSTS FOR BUYER AND SELLER

一个销售合同案例，同时附有完整的买卖双方的费用

The following apartment was recently purchased in a residential area of Midtown Manhattan. It consists of a kitchen, living room, 2 bedrooms, 2 baths plus half bath for a total of 1463sf. This is a late 80s luxury high rise building with a view of Central Park and prestigious services: restaurant, gym, pool, meeting room & 24-hour doorman.

下面这个公寓是最近在曼哈顿中城一处居民区购买的。包括一个厨房，客厅，2个卧室，2个半卫生间，总面积为1463平方英尺。这个80年代后期建造的高层建筑，拥有中央公园的风景和极负声望的服务：餐馆，健身房，游泳池，会客室及24小时门房。

	%*	AMOUNT	RESPONSIBILITY OF		NOTES
			BUYER	SELLER	
Purchase Price		\$1,670,000	√		Because it is a luxury building with Central Park views, it is a very good price for the buyer (\$1.41sf = \$12.29sm). This is due mainly to the fact that a building being erected threatens to partially block the park view.
Commission	6.00	\$100,200		√	The commission owed to the broker for the sale of residential apartments is always paid by the seller and is normally equal to 6% of the sale price. If the buyer is assisted by his/her own broker (buyer's broker), he/she is entitled to 50% of the seller's broker's commission.
Transfer Tax	1.85	\$30,895		√	The transfer tax is owed by the buyer when it is a new construction unit or, as in this case, from the seller as a re-sale.
Mansion Tax	1.00	\$16,700	√		The Mansion Tax takes effect only when the purchase price exceeds one million dollars.
Title Insurance	.50	\$8,350	√		Title insurance offers a guarantee that is offered by a Notary in Italy.
Legal Fee (Attorney)		\$3,000	√	√	In real estate transactions, it is normal for the parties to be represented by their attorneys. The expense varies depending on the number of hours the attorney must devote to the task and its difficulty.
Mortgage Recording Tax**	2.80	\$23,380	√		The mortgage recording tax is owed if the buyer has obtained financing from an American bank. In this case, 50% of the purchase price was paid with a mortgage.
Processing Fee		\$2,000	√		The administrative costs for the completion of the purchase procedure change from case to case and depend entirely on the by-laws of the condominium building where the apartment is located.
Capital Gains Tax***	29.00	\$13,312		√	The capital gains tax is always owed when the seller has earned a profit over his purchase price minus the expenses (broker's fee, legal fees, etc.) The depreciations (3.7% for each year it is owned) and the expenses incurred during the time of ownership (renovation work and extraordinary maintenance). In this case, even though all the information is not available, we estimated a book value at the time of sale to be \$1,490,000.

Total amount paid by Buyer \$ 1,723,430

Total amount earned by Seller \$ 1,535,905

* on the Purchase Price (if not in a fixed amount)

** on the amount financed, in this case, 50% of the purchase price

*** on the difference between the net Sale Price once the sales costs are deducted (commission, transfer tax, legal fees, all expenses incurred) and the book value of the real property at the moment of sale.

	%*	数目	责任		注解
			买方	卖方	
购买价格		\$1,670,000	√		由于它拥有中央公园的风景,是一栋奢华的建筑,这个价格对购买者来说是非常好的(\$1.41 平方英尺=\$12.29 平方米). 主要是由于正在修建的一栋新建筑有可能会挡住部分风景。
佣金	6.00	\$100,200		√	居民公寓的中介佣金通常由卖方支付,相当于售房价格的6%。如果买方由自己的中介协助(买方中介),他/她会拿到买方中介50%的佣金。
交易税	1.85	\$30,895		√	如果是新的建筑单元,则需要由买方来支付交易税。如果是二手房交易,则由卖方支付。
大厦税	1.00	\$16,700	√		大厦税只有在购买价格超过一百万美元时才生效。
产权保证保险	.50	\$8,350	√		由意大利的公证员提供的产权保证保险提供了保障。
法律费用(律师)		\$3,000	√	√	在房产交易中,双方都由律师代表是很正常的。费用则取决于律师花费的时间以及任务的难度。
贷款记录税**	2.80	\$23,380	√		如果买方从美国银行拿到贷款,则需要交纳贷款记录税。在这种情况下,贷款会支付购买价格的50%。
手续费		\$2,000	√		完成购买程序的管理费用视情况而定,完全取决于公寓所在大楼的细则规定。
资本增值税***	29.00	\$13,312		√	如果卖方的销售价格扣除所有的费用(中介佣金,法律费用等等)还有活力,则需要支付资本增值税。在拥有过程中(装修以及额外的维护)会产生折旧费(每年3.7%)。在这种情况下,尽管不是所有的信息都具备,我们预测的账面价值为\$1,490,000。

买方支付的所有费用 \$ 1,723,430

卖方所得收入 \$ 1,535,905

* on the Purchase Price (if not in a fixed amount) 购买价格的(如果不是一个固定的数目)

** on the amount financed, in this case, 50% of the purchase price 贷款的数量,这种情况下为购买房价格的50%

*** on the difference between the net Sale Price once the sales costs are deducted (commission, transfer tax, legal fees, all expenses incurred) and the book value of the real property at the moment of sale.

扣除销售费用(佣金,交易税,法律费用,所有产生的费用)后的净销售价格和在销售时的账面价值之间的差价