

# How Capital Gains Tax Rates Affect Investment Sales

## Without a 1031 Exchange

up to

**35%**  
Current Taxes

- 15% Cap Gains tax - OR - 20% Cap Gains tax IF taxable income is \$459,751K+ (single) or \$517,201K+ (married, filing jointly)
- + 3.8% Affordable Healthcare tax IF adjusted gross income is \$200K+ (single) or \$250K+ (married, filing jointly)
- + 10.9% New York state tax
- + 25% tax on gain due to depreciation

## With a 1031 Exchange

**0%**  
Taxes

## 1031 Guidelines

### Held for Investment

Owned & treated as investment property.

### Identification Rules

45 Days to identify.  
· 3 Property Rule  
· 200% Rule  
· 95% Rule

### Closing Rules

180 days to close on one or more of the identified properties.

### Qualified Intermediary Requirements

Must use QI who is neutral party not advising client in last 2 years. All monies held until exchange closes.

### Reinvestment Requirements

To have a fully deferred exchange, buy equal-or-greater in value and reinvest all proceeds.

### Title Requirements

Both Relinquished and Replacement Properties must use same taxpayer ID.

Learn more on *how to save tax dollars* OR schedule a *free customized 1031* seminar

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