

**Robyn A. Crittenden**  
State Revenue Commissioner



**Frank M. O'Connell**  
Deputy State Revenue Commissioner

**Georgia Department of Revenue**  
**Office of the General Counsel**

1800 Century Boulevard, N.E., Suite 15107, Atlanta, Georgia 30345

March 22, 2022

**VIA:** First Class Mail

**RE: Intangible Recording Tax Protest and Claim for Refund for Security Deed, dated [REDACTED]**

The Department of Revenue has carefully considered your intangible recording tax ("IRT") protest related to the above-mentioned recording. Georgia law imposes an IRT on any "long-term note secured by real estate." O.C.G.A. § 48-6-61. A "long-term note secured by real estate" is defined as:

[A]ny note representing credits secured by real estate by means of mortgages, deeds to secure debt, purchase money deeds to secure debt, bonds for title, or any other form of security instrument, when any part of the principal of the note falls due **more than three years from the date of the note** or from the date of any instrument executed to secure the note and conveying or creating a lien or encumbrance on real estate for such purpose.

O.C.G.A. § 48-6-60 (emphasis added).

The documents submitted here show the principal of the note fell due on [REDACTED] precisely three years from the date of the note. This instrument does not meet the definition of a "long-term note secured by real estate"; therefore, no IRT was owed.

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Accordingly, your Claim for Refund in the amount of \$ [REDACTED] is hereby granted. A copy of this determination is being provided to the [REDACTED] Clerk of Superior Court to facilitate refund of the payment collected.

Sincerely,



Dominick Capotosto  
Deputy General Counsel  
Georgia Department of Revenue

cc: [REDACTED] Clerk of Superior Court