



We appreciate your interest in becoming a qualified abstract provider in ServiceLink's Vision Systems network. For your review, we have attached our standard abstractor engagement package, which contains information regarding ServiceLink's expectations for preparing and delivering title reports and for recording security instruments.

The following information is a brief background on our company (more information is available at [www.servicelinkfnf.com](http://www.servicelinkfnf.com)). ServiceLink currently employs over 1500 individuals in offices across the country with headquarters in Pittsburgh, PA, providing a full range of settlement services to thousands of lenders nationwide. In 1996, ServiceLink began to develop long-range strategic partnerships with the nation's largest lenders to develop their own settlement services subsidiaries. Utilizing our industry leading, web based software, Vision, with its embedded comprehensive settlement solutions and processes, lenders have come to rely on both our provider networks and our technology initiatives to streamline their total settlement solutions.

ServiceLink has created more captive settlement service subsidiaries than all of our competitors combined. Lenders such as Citigroup, Countrywide Mortgage, GMAC Mortgage, Key Corp, Navy Federal Credit Union, America's Mortgage Co-op, E-Trade Mortgage, Equifax Information Services, IRR-Residential and many others, have trusted ServiceLink to provide them with both our industry leading web based technologies through our Vision software and a pre-qualified, experienced supplier network to accomplish their corporate objectives.

By becoming one of ServiceLink's preferred suppliers in your market and subscribing to all of our technology initiatives through our Vision web interface, you will be approved to receive assignments not only from the thousands of lenders we service daily in our retail operations, but you will also be pre-qualified to appear as a valued subscriber to our current Vision software clients, as well as all future subscribers to the Vision software.

To be categorized as a priority provider in the Vision System, several factors are considered and weighed with respect to the market and products that you choose to provide, which would include delivery timeframes, report quality, electronic delivery methods, timely communication via ServiceLink's website and the most competitive fees for your market. When considering these variables at the time of your engagement, be sure to consider both the depth of partnerships that the Vision software will bring to your organization as well as the rewards of working within a true exception processing system, eliminating the day to day follow-up and repetitive transactional requests normally associated with a settlement services provider.

We are looking for long-range strategic partners who understand the value in becoming a Vision provider and share our passion for delivering industry leading settlement solutions.

We pride ourselves on engaging a quality provider network through an initial contractual agreement (this engagement package) which obligates the owners, and authorized representatives of each Provider Partner, to the products, services, technology initiatives and markets that they would like to appear as qualified providers for within the Vision software.



As a qualified Provider on the network, it is important for you to focus transactionally on the “follow-up date” that is provided with each order. We require that your office transmit an update, or product delivery, before this date and time has expired. Of course, cumulatively we expect you to meet your service and quality standards, but on every transaction we require your detailed updates to be transmitted via our Vision web site.

With every transactional assignment received through the Vision software, we will provide your office with a transactional order confirmation, which will re-state your contractual agreements as well as provide you with details specific to that assignment. Additionally, we will provide your office with a daily work-in-progress reminding you of your promised communication dates and delivery dates. Please use this work in progress as a reminder of any dates that need to be communicated to us via our web site.

If at any time you encounter any problems, we encourage you to contact one of our ServiceLink Vendor Contract Managers at (888) 381-7381. Please review the attached engagement package thoroughly. Once completed, please return the documents noted on the next page to your ServiceLink Representative.

Thank you for your interest in joining the ServiceLink Vision vendor network. We look forward to growing with you.



The following documents are included in this Engagement Package:

1. ServiceLink Abstractor Procedures
2. ServiceLink Abstractor Engagement Letter
3. W-9 Form
4. Supplier Diversity Checklist

**Please forward the following information to ServiceLink to complete your vendor file:**

1. Copy of the declaration page from the Professional Liability and Fidelity Crime Insurance Policies. If you do not carry an Errors and Omissions policy, please note so in your return package.
2. ServiceLink Abstractor Engagement Letter
3. Signed W-9 Form
4. Reference Form
5. Abstractor Set Up Form
6. Supplier Diversity Checklist



**Order Assignment:** Please invest the necessary time to read each transactional assignment your firm receives from ServiceLink. Detailed on these documents are not only the information on the property you are being asked to search or record, but also important information to assist your office on the assignment. In addition, this document details what type of product is being requested, our agreed upon fee for the product in this market along with the expected delivery timeframe. If at any time your office cannot comply with the assignment requirements please contact your ServiceLink representative immediately.

**Cell Phone/Pager/Blackberry Requirement:** ServiceLink requires that all of their approved abstract partners to carry a cell phone, pager or blackberry. At time of assignment, our Vision System will not only send the order to your office, but it will communicate the assignment to your pager / cell phone / blackberry. Our Vision IVR system has been designed to allow you to subscribe (at no costs) to a paging system that will page you with an 800 number and the ServiceLink order number. If you are in the field when the page is received you have the option to call the 800 number and have all of your assignment specifics both spoken and spelled to you through our technology. This is a service to allow you to achieve your performance objectives, while not forcing daily conversations with our vendor managers.

**Timeframes:** You are responsible for completing and delivering the abstract orders within the timeframe noted on the assignment form. If you are unable to meet the established deadline, you must notify ServiceLink immediately upon receipt of the order request. Failure to produce reports within the established deadline without providing ServiceLink with an acceptable reason for the delay prior to the due date, may result in a fee reduction or a reduction in future order assignments.

**Quality vs. Timeframe:** At no time should the due date of the report take on more significance than the quality of the report. There are situations whereby the complexity of the search prevents you from being able to complete the report within the previously agreed upon timeframe. In these situations, we ask that you update your representative at ServiceLink and explain to them the reason for the delay. This information will be passed on to our client as an exception to their normal expectations.

**Work in Progress:** A daily report will be systematically generated and transmitted via fax or email to your office noting your current orders in progress. This report will arrive by 8:00 a.m. local time. Please review this communication to confirm order receipt and to determine if any updates need to be communicated to ServiceLink. Failure to do so will result in unnecessary phone calls between our offices, as the orders will be flagged by our Vision System as a contractual issue.

**Communication:** Communication is the key to a successful relationship between ServiceLink and it's approved Abstractor network. ServiceLink encourages its staff to have minimal contact with each of their suppliers; however, this can only take place if basic communication rules are followed.

We require our vendor partners to communicate to ServiceLink any time our agreed upon timeframes cannot be met. These deadlines can be viewed on the transactional assignments, the work in progress communication sent to your offices daily and also on ServiceLink's website.

Your office's communication with ServiceLink must be delivered to ServiceLink via our website at [www.servicelinkfnf.com](http://www.servicelinkfnf.com) using our "E-WIP" feature. Once you have become an approved supplier in our network your office will be supplied with a user name and password that will allow you to utilize this feature and others within the Vendor Access portion of our site.



If at anytime your office needs to speak to one of our representatives we can also be reached at (888) 381-7381. Failure to effectively communicate properly with ServiceLink will cause unnecessary communication for both of our offices. Any such issues are documented within the Vision System. This documentation is reviewed by both ServiceLink and our software partners when considering future assignment decisions.

**Abstract/ Filing Report Delivery:** Once your firm has completed your assignment, the report must be transmitted to ServiceLink utilizing our website [www.servicelinkfnf.com](http://www.servicelinkfnf.com). ServiceLink's **Vision E-Abstract** application allows our vendor partners to electronically transmit data obtained from the courthouse directly into ServiceLink's Vision Systems. Utilizing this application will eliminate handwriting errors, quality control rejects/ requests and fax costs, while improving your delivery timeframes and report quality. E-Abstract is compatible with all web browsers and can be utilized from your home, office, or courthouse. The preferred vendors in the Vision Network for both ServiceLink and our software partners are required to utilize this application for the delivery of their search products.

**Review of Abstract:** ServiceLink's Quality Control staff reviews each abstract report before it is delivered to our clients. In addition to reviewing for industry standard practices, our employees also review for any unique requirements the lender has defined to ServiceLink. These requirements are provided to your office at the time of assignment. Please ensure these items are satisfied before transmitting your report to ServiceLink to avoid any unnecessary communication between our offices. Repeated quality concerns may be subject to a reduction in future order volume, financial penalty or removal from the Vision network.

**Billing & Payment:** Utilizing the user name and password supplied to your offices, all invoicing should be communicated using ServiceLink's website. Do not send individual invoices with your reports. Since our volume of work is high, we cannot process individual bills. Provide this electronic statement once per month to ServiceLink, at the beginning of each month, and payment will follow within 30 days.



The below signed vendor hereby certifies that all abstract and security instrument recording assignments completed for ServiceLink will adhere to the following requirements:

1. All abstract orders will be completed in compliance with the requirements of the Financial Institutions and ServiceLink Procedures.
2. Security Instruments will not be recorded until a Bringdown Report has been completed to ensure the correct position of our Client's loan.

Please review and complete the following information:

Current Owner Search	\$ _____	<u>8 hours</u>
Institutional Lender Search or Institutional Lender	\$ _____	<u>8 hours</u>
Search with Covenants, Easements & Restrictions	\$ _____	<u>8 hours</u>
Full Search	\$ _____	<u>8 hours</u>
REO Search	\$ _____	<u>8 hours</u>
Purchase Search	\$ _____	<u>8 hours</u>
Deed or Mortgage Report	\$ _____	<u>4 hours</u>
Bringdown/Update Report	\$ _____	<u>4 hours</u>
Bringdown/Update and Document Recordation	\$ _____	<u>8 hours</u>
Document Recordation Only	\$ _____	<u>8 hours</u>

Phone #: _____	Fax #: _____
Pager #: _____	Cell #: _____
Email Address: _____	
Do you have E&O Coverage? Yes _____ No _____ If yes, Exp Date: _____	
Please provide a copy of your declaration page.	



Please sign below indicating your acknowledgement and agreement with the terms and conditions set forth in this engagement letter and ServiceLink's Abstractor Procedures.

**NOTE: Please ensure any applicable sales tax is included in your fees noted above.**

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(Vendor Company Name)

(Printed Authorized Representative's Name)

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(Signature of Authorized Representative)

(Date)



## **SERVICELINK SEARCH PARAMETERS**

### **DEFINITIONS**

You may be called upon to complete several different types of searches and/or to record the executed security instruments. The following defines the types of searches that may be required from your office:

#### **CURRENT OWNER SEARCH**

A search of land records is performed from the execution date of the current deed of record for the subject property forward and complete information from that deed, including the legal description as reported, along with reporting complete information regarding open mortgages/deeds of trust, judgments, federal tax liens, pending suits, real estate taxes, UCC's encumbering the subject real estate, outsales, and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE. This information should be reported via our E-Abstract system on our web site.

#### **INSTITUTIONAL LENDER SEARCH**

A search of the land records is performed from the execution date of the current deed of record for the subject property forward and complete information from that deed, including the legal description as reported, along with reporting complete information regarding open mortgages/deeds of trust, judgments, federal tax liens, pending suits, real estate taxes, UCC's encumbering the subject real estate, outsales, and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE. This information should be reported via our E-Abstract system on our web site.

If an open or satisfied mortgage to an institutional lender is evidenced in your research, you must report complete information regarding that instrument, including the satisfaction date, if applicable. At this point, then, your report is concluded. NOTE: Open assumed mortgages must show all deeds back to the original loan, if an open or satisfied lien is not evidenced on the current owner as well.

If an open or satisfied mortgage to an institutional lender is NOT evidenced in your research, you must perform a search on the prior owner of the subject property, reporting complete deed information, any open or satisfied mortgages/deeds of trust, judgments, pertinent legal descriptions and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE. The prior reported deed must be a bona fide sale, evidencing a valid consideration (i.e., family conveyances do not count as a prior owner). Thus, it may be necessary to extend the period of the search to report additional chains of title beyond the two-owner assignment.



## **INSTITUTIONAL LENDER SEARCH WITH COVENANTS, EASEMENTS AND RESTRICTIONS**

The search for covenants, easements and restrictions affecting the property should be limited to the deeds which were researched within your report and/or any filed subdivision or plat map specific to the subject property. This information should be reported via our E-Abstract system on our web site.

-- The same search parameters are required as set forth in item #2 of the search requirements for INSTITUTIONAL LENDER SEARCH, along with reporting all specifics on any covenants, easements and restrictions affecting the subject property. In addition, you are required to examine the pertinent recorded subdivision, plat or map of the subject property, if any, and report complete information on any covenants, easements and restrictions affecting the subject property. Naturally, if the subject is a condominium, in a Planned Unit Development or waterfront, complete information regarding those matters needs to be included in your report. You must also report any violations to the easements and restrictions if noted in public record.

## **FULL SEARCH**

A full search is performed for the prescribed number of years, as assigned, and the chain of title including the current deed of title for the subject property is reported, along with ALL MATTERS AFFECTING THE REAL ESTATE This report must be submitted in writing and include a copy of the current deed, notes of title, along with any pertinent document copies.

## **REO -- REAL ESTATE OWNED**

A search of the land records is performed to provide a two owner search (arm's length transactions), not including the sheriff/foreclosure deed (with the exception of MA which requires a 50 year search and attorney certification letter and AR & CA which both require a full 30 year search). This search type should include complete information for all deeds, including legal description and easements and restrictions; open mortgages/deed of trusts, judgments, federal tax liens, pending suits, real estate taxes, UCC's encumbering the subject real estate, outsales and ANY MATTER AFFECTING THE SUBJECT REAL ESTATE. This information should be reported via our E-abstract system on our website.

You may be required to provide copies of the following documents provided for this product type as well: 1) All deeds encumbered in the report. 2) Copies of all easements and restrictions for the subject property must be provided. 3) Copies of all foreclosure docs for the subject property. 4) Mortgages -- Need only the 1st page, signature page and legal description. Full copies are needed in the states of AL, KS & TN and of all junior mortgages. Full copies are also required on all deed of trusts that are in a Deed of Trust state.

## **DEED REPORT**

Report all of the deed information for current owner of record. Included should also be the legal description and the Tax ID or Assessor's parcel number. This information should be reported via our E-Abstract system on our web site.



## **MORTGAGE REPORT**

This search should include the information pertaining to any open mortgage of record for the subject property. The data provided should include the lender name, loan amount, dated and recorded date, document number, how the document was signed, etc. If any assignments are located this information must be provided as well. This information should be reported via our E-Abstract system on our web site.

## **UPDATE REPORT AND DOCUMENTATION RECORDATION**

After examining the mortgage/deed of trust for compliance with recording requirements, i.e., acknowledgement, proper fees, appropriate legal description, signatures, et cetera, you will perform a bringdown search from the EFFECTIVE DATE of your original search up to the day of recording.

If you do not evidence any changes from the original search, and if all grantees from the title deed have executed the respective mortgage/deed of trust exactly as title is vested, the instrument is to be recorded and specifics from the document (i.e., mortgagors, mortgages, execution date, amount, recording date, instrument number or book and page of the recorded instrument, if available, and THE EFFECTIVE DATE OF YOUR BRINGDOWN SEARCH) are to be reported, via the E-Abstract system on our web site. This information must be reported verbatim from the recorded security instruments (for example, if the Lender is Home Loan Mortgage

Finance do not report Home Loan Mtg.).

The same specifics are required for any ancillary documents received with the security instrument for recording, or under separate cover, i.e., deeds, subordination agreements, powers of attorney, satisfactions, et cetera.

If the bringdown search evidences any change from the original search, or if all grantees from the title deed have not executed the mortgage / deed of trust received for recording, DO NOT RECORD THE SECURITY INSTRUMENT, and contact your representative for further instruction.

## **BRINGDOWN/UPDATE**

You will perform a bringdown search from the effective date of your previous report completed, and report any changes to the report, along with the new EFFECTIVE DATE of the updated order.

## **RECORD ONLY**

The instrument is to be recorded and specifics from the document (i.e., mortgagors, mortgagees, execution date, amount, recording date, instrument number or book and page of the recorded instrument, if available.) A bringdown is not required. This information must be reported verbatim from the recorded security instruments (for example, if the lender is Home Loan Mortgage Finance do not report as Home Loan Mtg).



## ABTRACTOR SET UP FORM

Name of Agency or Individual Abstractor: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Address of Agency / Abstractor:  
\_\_\_\_\_  
\_\_\_\_\_

Type of Business: \_\_\_\_\_

(Individually Owned, Company, Corporation)

If business established less than two (2) years ago, provide work history of proprietor or president:  
\_\_\_\_\_  
\_\_\_\_\_

Number of years abstracting (includes performing searches for purposes of real estate transfers or conveyances of title for attorneys, abstracting companies, financial institutions or title underwriters):

<u>ABTRACTOR NAMES</u>	<u>YEARS OF EXPERIENCE</u>
_____	_____
_____	_____

Please attach additional pages if more space is needed. List specific types of Abstracting experience (types of searches, i.e., one owner, full, etc.) \_\_\_\_\_

Does Abstractor have E&O coverage? \_\_\_\_\_ *If yes*, coverage amount: \_\_\_\_\_ (Please submit most recent declaration page.)



## ABTRACTOR REFERENCE SHEET

Business Name:	Phone:
Contact:	
Person Contacted:	
Years of Association:	Volume/ Per Month:
Has any work by this abstractor resulted in a claim?	
Do you still use this abstractor:	
Would you recommend this abstractor for use in transfer or reconveyance of Real Estate?	

Business Name:	Phone:
Contact:	
Person Contacted:	
Years of Association:	Volume/ Per Month:
Has any work by this abstractor resulted in a claim?	
Do you still use this abstractor:	
Would you recommend this abstractor for use in transfer or reconveyance of Real Estate?	

Business Name:	Phone:
Contact:	
Person Contacted:	
Years of Association:	Volume/ Per Month:
Has any work by this abstractor resulted in a claim?	
Do you still use this abstractor:	
Would you recommend this abstractor for use in transfer or reconveyance of Real Estate?	



### **Supplier Diversity Questionnaire**

In an effort to identify diverse businesses within our supply chain, please complete the following questionnaire. Your participation is strictly voluntary. If you have any questions, please contact your ServiceLink representative.

#### **Company Ownership**

Is the company at least 51% owned, operated, and controlled by one or more U.S. Citizens?

Yes       No

#### **Business Types**

(The company must be at least 51% owned, controlled, and actively managed by an individual or individuals that meet one or more of these business types)

Check the box next to the business types that matches your type of diverse business.

- Minority Business Enterprise (MBE)
  - African American Male
  - African American Female
  - Asian Indian American Male
  - Asian Indian American Female
  - Asian Pacific American Male
  - Asian Pacific American Female
  - Hispanic American Male
  - Hispanic American Female
  - Native American Male
  - Native American Female
- Women-Owned Small Business Concern (WBE)
- Lesbian Gay Bisexual and Transgender Business Enterprise
- Veteran Business Enterprise (VBE)
- Disabled Veteran-Owned Enterprise (DVBE)
- Disabled Business Enterprise (DBE)
- Small Business Enterprise (Certified by U.S. SBA) (SBE)
- HUBZone Small Business Concern
- 8(a) Business Concern
- Historically Black College and University (Part B Institution)

- Small Disadvantaged Business Concern
- Not Applicable

**Certification(s)**

Check the box next to the certification category that matches the agency that issued your company's certification.

- DOT, State, City, and Other Diversity Certifications
- US Small Business Administration (Federal)
- NMSDC Certification
- WBENC Certifications
- NGLCC Certifications
- Other: \_\_\_\_\_
- Not Applicable

**Certification Information**

\*Please include a copy of your certification with this questionnaire.

Agency:

Certification Type (MBE, WBE, LGBT, VBE, DVBE, DBE, SBE, etc.):

Certification Number:

Expiration Date:

**By signing below, I attest that all information presented in this contract agreement is truthful, and I agree to comply with the terms and conditions of this agreement set forth herewith. It is understood and agreed by you that all references herein to Servicelink apply equally to Servicelink's affiliates and subsidiaries, including, without limitation, any joint venture to which Servicelink is a party.**

Company name: \_\_\_\_\_

Print name of business owner: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Request for Taxpayer Identification Number and Certification

**Give form to the  
 requester. Do not  
 send to the IRS.**

Print or type See Specific Instructions on page 2	Name (as shown on your income tax return)	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other .....	
	<input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								
or								
Employer identification number								

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

<b>Sign Here</b>	Signature of U.S. person	Date
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### Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**U.S. person.** Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or

- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

**Nonresident alien who becomes a resident alien.**

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments (after December 31, 2002). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

### Name

If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

**Limited liability company (LLC).** If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line. Check the appropriate box for your filing status (sole proprietor, corporation, etc.), then check the box for "Other" and enter "LLC" in the space provided.

**Other entities.** Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

**Note.** You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

### Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

**Exempt payees.** Backup withholding is not required on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
2. The United States or any of its agencies or instrumentalities,
3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,

7. A foreign central bank of issue,
8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
9. A futures commission merchant registered with the Commodity Futures Trading Commission,
10. A real estate investment trust,
11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
12. A common trust fund operated by a bank under section 584(a),
13. A financial institution,
14. A middleman known in the investment community as a nominee or custodian, or
15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt recipients 1 through 7 <sup>2</sup>

<sup>1</sup>See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup>However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees; and payments for services paid by a Federal executive agency.

## Part I. Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.socialsecurity.gov/online/ss-5.pdf](http://www.socialsecurity.gov/online/ss-5.pdf). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses/](http://www.irs.gov/businesses/) and clicking on Employer ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting [www.irs.gov](http://www.irs.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt From Backup Withholding* on page 2.

**Signature requirements.** Complete the certification as indicated in 1 through 5 below.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

## What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or single-owner LLC	The owner <sup>3</sup>
For this type of account:	Give name and EIN of:
6. Sole proprietorship or single-owner LLC	The owner <sup>3</sup>
7. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or "DBA" name on the second name line. You may use either your SSN or EIN (if you have one). If you are a sole proprietor, IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

## Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

