

(II) A PARTNERSHIP, ALL OF THE INTERESTS IN WHICH ARE OWNED, DIRECTLY OR INDIRECTLY, BY ONE OR MORE SUBSIDIARIES OR THE COMMON PARENT CORPORATION; OR

(III) THE COMMON PARENT CORPORATION.

(5) THE RECORDATION TAX IS NOT IMPOSED ON THE TRANSFER OF A CONTROLLING INTEREST IN A REAL PROPERTY ENTITY IF THE TRANSFEREE OF THE CONTROLLING INTEREST IN THE REAL PROPERTY ENTITY IS:

(I) A NONSTOCK CORPORATION ORGANIZED UNDER TITLE 5, SUBTITLE 2 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE; AND

(II) REGISTERED WITH THE DEPARTMENT OF AGING AS A CONTINUING CARE RETIREMENT COMMUNITY UNDER ARTICLE 70B, § 9 OF THE CODE.

~~(6) THE RECORDATION TAX IS NOT IMPOSED ON THE TRANSFER OF A CONTROLLING INTEREST IF THE TRANSFER, FOR FEDERAL INCOME TAX PURPOSES, DOES NOT INVOLVE THE RECOGNITION OF GAIN OR LOSS, INCLUDING THE NONRECOGNITION OF GAIN OR LOSS BECAUSE OF THE APPLICATION OF § 332, § 337, § 351, § 368(A)(1), § 721, § 731, OR § 1031 OF THE INTERNAL REVENUE CODE.~~

~~(6)~~ ~~(7)~~ (6) THE REAL PROPERTY ENTITY HAS THE BURDEN OF ESTABLISHING TO THE SATISFACTION OF THE DEPARTMENT THE APPLICABILITY OF ANY EXEMPTION REFERRED TO IN PARAGRAPHS (1) THROUGH ~~(5)~~ ~~(6)~~ (5) OF THIS SUBSECTION.

(D) (1) THE REAL PROPERTY ENTITY SHALL FILE WITH THE DEPARTMENT A REPORT OF ANY TRANSFER OF A CONTROLLING INTEREST IN THE REAL PROPERTY ENTITY THAT IS COMPLETED WITHIN A PERIOD OF 12 MONTHS OR LESS WITHIN 30 DAYS FOLLOWING THE DATE OF THE FINAL TRANSFER.

(2) THE REPORT SHALL INCLUDE ALL INFORMATION TO ESTABLISH TO THE SATISFACTION OF THE DEPARTMENT:

(I) THE CONSIDERATION REFERRED TO IN SUBSECTION (B)(2)(I) OF THIS SECTION;