
A sale checklist

Selling a flat in India from the US

Selling from abroad is mostly paperwork and timing. Get the order right and you avoid having a large part of the money held back for a year.

1. BEFORE YOU LIST IT

- ☐ Title documents complete: sale deeds back to the original allotment, share certificate, society records
- ☐ If it's inherited: will, probate or succession documents as your lawyer advises, and the property transferred into your name in society and government records
- ☐ Society NOC; all dues and property tax cleared, with receipts
- ☐ Any tenant's agreement ended, or the sale agreed with the tenant in place

2. BEFORE YOU SIGN THE SALE AGREEMENT

- ☐ CA works out your capital gain (cost, improvements, holding period; for inherited property, the previous owner's cost and dates count)
- ☐ Apply for a lower-deduction certificate, so the buyer deducts tax on your actual gain, not the full price. Start early; it can take weeks
- ☐ Decide on exemptions with your CA: reinvesting in another home in India, or specified bonds within 6 months
- ☐ A specific POA if you won't be in India for registration (see the POA checklist)

3. AT SALE AND REGISTRATION

- ☐ Buyer deducts TDS at the agreed or certified rate and gives you the TDS certificate
- ☐ Sale money goes into your NRO account
- ☐ Registration done; society and property-tax records transferred to the buyer

4. BRINGING THE MONEY TO THE US

- ☐ Up to \$1 million per financial year from your NRO account, with the CA certificate and remittance forms the bank asks for
- ☐ File your Indian tax return for the year of sale; claim any refund of excess TDS

5. THE US SIDE (FOR GREEN CARD HOLDERS AND CITIZENS)

- ☐ Report the sale on your US tax return; you can usually claim credit for Indian tax paid
- ☐ Report Indian accounts holding the money on FBAR and FATCA (Form 8938) where the thresholds apply
- ☐ Talk to a US CPA before the sale, not after

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