**Instructions to Form BTA1217 – Guide for Articles of Restatement of the Articles of Trust of a Domestic Business Trust**

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| **Filing Requirements** |
| Pay all fees and penalties before submitting this application to the Commission. If the Commission issues the articles of restatement on or before the annual registration fee due date, payment of the registration fee for the current year is not required. |
| **Required Fees** | **Filing Fee: $25.00** |
| **File Online Today** | **Paper Filing** |
| Visit <https://cis.scc.virginia.gov> to file the articles of restatement of the articles of trust in real time.**Questions?**Visit the CIS help page at <https://scc.virginia.gov/pages/CIS-Help> for how-to guides, answers to frequently asked questions, and helpful videos. | Download from <https://scc.virginia.gov/pages/Virginia-Business-Trusts> complete, print, and mail or deliver to below address:**State Corporation Commission** **Courier Delivery Address**Clerk’s Office 1300 E. Main St, 1st floorP.O. Box 1197 Richmond, VA 23219Richmond, VA 23218-1197 |
| Pay online with a credit card or eCheck. No additional processing fees apply for filing online. | Include a check payable to State Corporation Commission. **DO NOT SEND CASH**.  |

Guideform BTA1217 has been produced by the Commission as a guide to help you prepare the business trust’s articles of restatement. Please note, however, that a marked-up version of this guideform **will not** be accepted. You must separately type and prepare your articles, using this form as a guide, inserting appropriate information and omitting all inapplicable text (like the header, seal of the Commission and the italicized portions).

The restatement may include one or more amendments to the articles of trust. If an amendment is included, title the restated articles “Amended and Restated Articles of Trust.”

Attach the (amended and) restated articles of trust to the articles of restatement.

The restatement must be adopted by the sole trustee, a majority of the trustees, or as otherwise provided in the articles of trust or the governing instrument. See § 13.1-1217 of the Code of Virginia.

The certificate must be signed by a trustee or officer of the business trust, or if the business trust is in the hands of a receiver, trustee or other court appointed fiduciary, by that fiduciary. See § 13.1-1202 of the Code of Virginia.

## It is a Class 1 misdemeanor for any person to sign a document he or she knows is false in any material respect with intent that the document be delivered to the Commission for filing. See *§ 13.1-1205* of the Code of Virginia.

**NOTE**

The format suggested by this form to make the restated articles of trust an attachment to the articles of restatement contemplated by § 13.1-1217 is not mandatory. Other formats are acceptable, including articles of restatement that sets forth both the information required for the articles of restatement and the restated articles of trust within the body of the articles of restatement.

The registered office and/or registered agent cannot be changed by filing an amendment to the articles of trust. This change must be accomplished by filing a statement of change of a registered office and/or registered agent on form BTA1221, which can be **filed online** in real time by visiting our website at <https://cis.scc.virginia.gov>. A request for a paper version of this form can also be made via the Commission’s website at <https://scc.virginia.gov/pages/Online-Forms-Request>. No fee is associated with the filing of a statement of change.

**Important Information**

The articles must be in the English language, typewritten or legibly printed in black, using the following guidelines:

|  |  |  |
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| * use solid white paper
* size 8 1/2" x 11"
 | * one-sided
* no visible watermarks or background logos
 | * minimum 1.25" top margin and 0.75” all other sides
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**Do not include Personally Identifiable Information**, such as a Social Security number, in a business entity document submitted to the Office of the Clerk for filing with the Commission. Information in these documents is available to the public. For more information, see Notice Regarding Personally Identifiable Information at [www.scc.virginia.gov/clk](http://www.scc.virginia.gov/clk).

Form **BTA1217** (Rev. 08/20)

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| SCC_mp - seal - no bgrd**Form BTA1217** (Rev. 08/20) State Corporation Commission  | **Guide for Articles of Restatement of the Articles of Trust of a Domestic Business Trust** |  |

ARTICLES OF RESTATEMENT OF

 *(business trust’s name as currently on record with the SCC)*

The undersigned, on behalf of the business trust set forth below, pursuant to Title 13.1, Chapter 14, Article 2 of the Code of Virginia, states as follows:

1. The name of the business trust immediately prior to the filing of these articles of restatement is  *(name currently on record with the SCC) .*

2. The text of the [Amended and] Restated Articles of Trust is attached.

3. The restatement of the articles of trust was adopted in accordance with the articles of trust and the governing instrument of the business trust.

4. The restatement of the articles of trust was adopted on  *(date)* .

Executed in the name of the business trust by:

 *(signature) (date)*

 *(printed name) (title)*

 *(business trust’s SCC ID no.) (telephone number (optional))*

*(The articles must be executed by a trustee or by an officer of the business trust, or if the business trust is in the hands of a receiver, trustee, or other court-appointed fiduciary, by that fiduciary.)*

**THIS FORM IS TO BE USED AS A GUIDE ONLY.**