

Instructions to Form BTA1238 – Articles of Cancellation of a Virginia Business Trust

Filing Requirements									
Pay all fees and penalties before submitting this application to the Commission. If the Commission issues the articles of cancellation 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 cancellation of a Virginia business trust in real time.	Download from https://scc.virginia.gov/pages/Virginia-Business-Trusts complete, print, and mail or deliver to below address:								
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.	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">State Corporation Commission</td> <td style="width: 50%;">Courier Delivery Address</td> </tr> <tr> <td>Clerk's Office</td> <td>1300 E. Main St, 1st floor</td> </tr> <tr> <td>P.O. Box 1197</td> <td>Richmond, VA 23219</td> </tr> <tr> <td>Richmond, VA 23218-1197</td> <td></td> </tr> </table>	State Corporation Commission	Courier Delivery Address	Clerk's Office	1300 E. Main St, 1 st floor	P.O. Box 1197	Richmond, VA 23219	Richmond, VA 23218-1197	
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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.								

This form is to be used by Virginia business trusts only.

1. Name: Insert the exact name of the business trust as currently on file with the Commission.
2. Unless the articles of trust provided for a delayed effective date, the effective date of the certificate of trust issued by the Commission is the date the business trust's articles of trust were filed.
4. Before submitting these articles for filing, the business trust must complete the winding up of its affairs by paying and discharging, or making reasonably adequate provision for paying and discharging, all of the debts, liabilities, and obligations of the business trust and distributing all of the business trust's remaining property and assets to its beneficial owners. See §§ 13.1-1236 and 13.1-1238 of the Code of Virginia.

The articles 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

A certificate issued by the Commission is effective at the time such certificate is issued, unless the certificate relates to articles filed with the Commission and the articles state that the certificate shall become effective at a later time and date. In that event, the certificate shall become effective at the time and date so specified, provided it is no later than 11:59 p.m. on the fifteenth day after the date on which the certificate is issued by the Commission. See § 13.1-1203 of the Code of Virginia.

Important Information

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

- use solid white paper
- one-sided
- minimum 1" top margin and 0.5" all other sides
- size 8 1/2" x 11"
- no visible watermarks or background logos

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.



Form
BTA1238
(Rev. 08/20)

State Corporation Commission

Articles of Cancellation of a Virginia Business Trust

The undersigned, on behalf of the business trust set forth below, pursuant to § 13.1-1238 of the Code of Virginia, states as follows:

1. The name of the business trust is

_____.

2. The business trust's certificate of trust issued by the State Corporation Commission was effective

on _____.

3. These articles of cancellation are submitted for filing for the following reason(s):

_____.

4. The business trust has completed the winding up of its affairs. (See instructions.)

5. Any other information the trustees determine to include herein (optional) _____

_____.

Executed in the name of the business trust by:

(signature)

(date)

(printed name)

(title (e.g., trustee or title of officer))

(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.