

OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION
TONY MASTIN, DIRECTOR

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June 14, 2001

Re: Our file Number LR-01--76; Sales tax due on the lease or rental of modular office buildings.

Dear

This is in response to your inquiry concerning your company's responsibility for charging sales tax on its Oklahoma sales.

Your company would be classified as a vendor in Oklahoma and would be required to obtain a sales tax permit. It would be required to charge sales tax based on the location that your customer takes possession of the modular office building. Since you charge for delivery and for set up, it would appear that the point of sale for the application of sales tax would be the delivery location and the tax to be charged would be the state tax of 4.5% plus any city or county tax due at that point. I have enclosed a list of the tax rates for both cities and counties in Oklahoma. Sales tax should not be charged on the separately stated charges for delivery and setup.

I have sent an application form for a sales tax permit under separate cover.

This response applies only to the circumstances set out in your request of February 19, 2001. Pursuant to Commission Rule 710:1-3-73(e), this Letter Ruling may be generally relied upon **only** by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and that there has been no change in applicable law.

If I can be of further assistance, please feel free to contact me.

Sincerely,
OKLAHOMA TAX COMMISSION


Michael G. Pillow
Tax Policy Analyst