

# OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION  
TONY MASTIN, DIRECTOR

PHONE (405) 521-3133  
FACSIMILE (405) 522-0063

January 29, 2002

Re: Our File No. LR-02-011; Tax status of room and equipment rentals

Dear

Your correspondence of January 22, 2002 was forwarded to me for a response. In your inquiry you requested a ruling on the taxability of your Conference & Events Center rentals for rooms, equipment and tablecloths for activity tables.

Please be advised that the renting of rooms for events such as conferences and meetings and other functions is neither a transfer of title or possession of tangible personal property, nor is it one of the enumerated services for which a sales tax is levied in Oklahoma.

Section 1354 A (1) of Title 68 specifically levies a sales tax "upon all sales, not otherwise exempted in the Oklahoma Sales Tax Code. "Sales" means the transfer of either title or possession of tangible personal property for a valuable consideration regardless of the manner, method, instrumentality, or device by which the transfer is accomplished in this state, or other transactions as provided by this subsection, including but not limited to the exchange, barter, lease, or rental of tangible personal property resulting in the transfer of the title to or possession of the property."

The Commission promulgated Rule 710:65-1-11 which specifically states that "the gross receipts or gross proceeds derived from the rental or lease of tangible personal property are subject to sales tax". A copy of Rule 710:65-1-11 is being faxed with this letter for your convenience.

Therefore, the equipment, i.e. microphones, overhead projectors, and televisions, and tablecloths for activity tables are subject to Oklahoma sales tax.

This response applies only to the circumstances set out in your request of January 22, 2002. 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,

Brenda J. Sullivan  
Tax Policy Analyst