OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION
TONY MASTIN, DIRECTOR

PHONE (405) 521-3133
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March 31, 2004

Re: Our File Number LR-0429; Taxability of Modular Homes

Dear

This is in response to your inquiry to obtain information on the correct state, city/county taxes that are due on the sale of Modular Homes. Please be advised that sales tax would be due on the total "gross receipts", "gross proceeds", or "sales price" from the sale of a modular home. Please refer to Oklahoma Tax Commission Rule 710:65-1-2, and 710:65-1-9 **Gross receipts, Gross proceeds, and sales price**. To determine the sales tax rate in Oklahoma or where sales tax would be due refer to **Commission Rule 710:65-18-3 Sourcing of retail sales and 710:65-1-3 Computation of sales and use taxes to be collected and remitted** and the list of city and county tax rates for sales and use tax enclosed.

Additionally, separately stated and separately agreed upon delivery, installation and special service charges are not subject to the sales tax. Please see Oklahoma Tax Commission Rules 710:65-19-70, 710:65-19-158 and 710:65-19-159.

This response applies only to the circumstances set out in your request of February 9, 2004. 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. Please find enclosed Commission Rules referenced in the above for your information. If I can be of further assistance, please feel free to contact me.

Sincerely,

Brenda J. Sullivan

Brenda J. Sullivan
Tax Policy Analyst

cc: David Brown, TPA
Enclosure