



Location 120 6th Ave N, Seattle, WA
Mailing P.O. Box 19028, Seattle, WA 98109-1028
Telephone 206-615-3300
TTY 1-800-833-6388
Website www.seattlehousing.org

April 1, 2009

To: Vendors of the Housing Authority of the City of Seattle

Re: Seattle Housing Authority – Statutory Retail Sales Tax Exemption
Federal Tax ID #91-6000977
Washington State UBI # 601-328-125-000
State Tax Registration Number: 600-200-233

This is to provide you with a written certification that the Seattle Housing Authority (SHA) is a duly organized and legally existing public body corporate and politic and a housing authority under the laws of the State of Washington. As a housing authority created under RCW Chapter 35.82, SHA is exempt from all taxes and special assessments of the city, county, the State of Washington or any other political subdivisions of the State in accordance Section 35.82.210 of the Revised Code of Washington, as amended.

SHA's exemption from the retail sales tax is further provided in the Washington State Administrative Code, Title 458, for the State Department of Revenue. WAC Section 458-20-189 Paragraph (6) on Retail Sales Tax Exemptions states that "... the retail sales tax does not apply to sales to city of county housing authorities which were created under the provisions of the Washington housing authorities' law, chapter 35.82 RCW..." An excerpt from this section and copies of Department of Revenue determination letters are attached for your reference.

If you have questions regarding the application of the retail sales tax exemption to the Seattle Housing Authority, please contact Janet Hayes, our Corporate Controller at (206)615-3581. For invoice payment related questions, please contact our Accounts Payable staff by calling Brenda Mix at (206)615-3421 or Tran Wong at (206)615-3483.

Sincerely,

Shelly Yapp,
Chief Financial Officer

Enclosures

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Commissioners Katie Hong Chair Yusuf Cabdi Vice Chair
Sybil Bailey Nora Gibson John Littel Juan Martinez Kollin Min

Executive Director
Tom Tierney

**Excerpt from Washington State Administrative Code, Title 458
WAC 458-20-189, Paragraph 6 (Housing Authority Exemption):**

WAC 458-20-189 Sales to and by the state of Washington, counties, cities, towns, school districts, and fire districts. (1) Introduction. This section discusses the business and occupation (B&O), retail sales, use, and public utility tax applications to sales made to and by the state of Washington, counties, cities, towns, school districts, and fire districts. Hospitals or similar institutions operated by the state of Washington, or a municipal corporation thereof, should refer to WAC 458-20-168. School districts should also refer to WAC 458-20-167. Persons providing physical fitness activities and amusement and recreation activities should also refer to WAC 458-20-183.

.(5) Retail sales tax.

(a) The retail sales tax generally applies to all retail sales made to the state of Washington, its departments and institutions, and to municipal corporations of the state.

(b) The state of Washington, its departments and institutions, and all municipal corporations are required to collect retail sales tax on all retail sales of tangible personal property or services classified as retail services unless specific exemptions apply. Retail sales tax must be collected and remitted even though the sale may be exempt from the retailing B&O tax. For example, a city police department must collect retail sales tax on casual sales of unclaimed property to consumers, even though this activity is not subject to the B&O tax because these sales are considered casual sales. (See also WAC 458-20-106.)

..

.(6) Retail sales tax exemptions. The retail sales tax does not apply to the following:

(a) **Sales to city or county housing authorities which were created under the provisions of the Washington housing authorities law, chapter 35.82 RCW.**

However, prime contractors and subcontractors for city or county housing authorities should refer to WAC 458-20-17001 (Government contracting -- Construction, installations, or improvements to government real property) to determine their tax liability.

ts which they have extracted or manufactured must report, unless exempt by law, under both the "production" (extracting and/or manufacturing) and "selling" (wholesaling or retailing) classifications of the B&O tax, and claim a tax credit under the multiple activities tax credit system. (See WAC 458-20-19301 on multiple activities tax credits.)



STATE OF WASHINGTON
DEPARTMENT OF REVENUE

February 19, 2004

Janell Harstad
Seattle Housing Authority
120 6th Ave North
Seattle, WA 98109-5002

Registration No.: 601 328 125

Dear Ms. Harstad:

Thank you for your e-mail inquiry of February 4, 2004, regarding the local and state tax exemptions available for housing authorities.

As the Seattle Housing Authority you have recently rented rooms at the Hampton Inn Suites (located at 700 5th Ave N, Seattle) and were charged both city and state sales taxes. You feel you are exempt from these taxes and would like something in writing to show to Hampton Suites.

Per 35.82.210:

The property of an authority is declared to be public property used for essential public and governmental purposes and such property and an authority shall be exempt from all taxes and special assessments of the city, the county, the state or any political subdivision

The Department of Revenue does not have a specific form for the sales tax exemption for housing authorities. Generally, the Department issues letters verifying the housing authority's tax exemption status. The housing authorities may then use the letter to present to their vendors.

Therefore, charges to the housing authority for lodging are not subject to either state or local retail sales tax.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl Moss".

Cheryl Moss
Taxpayer Information Specialist
Taxpayer Information & Education

Taxpayer Services

PO Box 47478 • Olympia, Washington 98504-7478 • Phone (360) 486-2346 • Fax (360) 486-2159





STATE OF WASHINGTON

DEPARTMENT OF REVENUE

P.O. Box 47450 • Olympia, Washington 98504-7450 • (360) 786-6100 • FAX (360) 586-5543
INTERNET ADDRESS: <http://www.wa.gov/dor/wador.htm>

June 23, 1998

Janell Harstad
Accounts Payable Supervisor
Seattle Housing Authority
120 Sixth Avenue North
Seattle, Washington 98109-5003

UBI/Tax Registration Number: 600 200 233

Dear Ms. Harstad:

This is in response to your letter of June 18, 1998, concerning sales tax.

You write that the Seattle Housing Authority recently hosted an awards luncheon for employees. Although you are aware that city and county housing authorities are not subject to sales tax, the restaurant has declined to eliminate sales tax from the invoice. Consequently, you ask us to provide a written ruling confirming that sales tax does not apply to the transaction.

This confirms that purchases by city and county housing authorities are not subject to sales tax. The enclosed administrative rule, Washington Administrative Code (WAC) 458-20-189, explains that city and county housing authorities do not pay sales tax.

Merchants are frequently unaware that state law exempts city and housing authorities from the payment of sales tax. Adding to the confusion is that there is no exemption certificate for exempt housing authorities to provide to merchants.

This letter should confirm for this and future transactions that purchases by the Seattle Housing Authority are indeed exempt from tax. In the event that this letter is not sufficient, the housing authority may provide a copy of the enclosed tax decision, Det. No. 88-11, 4 WTD 447 (1987). Merchants with questions may also contact the Department of Revenue's Telephone Information Center at 1-800-647-7706.

Sincerely,

Jo Anne Gordon
Taxpayer Information Specialist
Taxpayer Information and Education Section

Enclosures

* To be exempt, a city or county housing authority must be established under chapter 35.82 Revised Code of Washington (RCW).