



Ohio Administrative Code

Rule 5703-9-05 Transactions where tangible personal property is or is to be stored.

Effective: July 17, 2020

(A) A transaction in which tangible personal property is or is to be stored under division (B)(9) of section 5739.01 of the Revised Code means transactions involving any keeping or holding of another's tangible personal property or any provision of space that is used to store another's tangible personal property.

(B) In a transaction in which "tangible personal property is or is to be stored" pursuant to division (B)(9) of section 5739.01 of the Revised Code, it is not relevant whether the storage of the tangible personal property is at a location that constitutes personal property or real property. The tax must be charged on the full fee or charge for the transaction. Accordingly, the tax imposed under that division is not subject to division (A)(2) of section 5739.02 of the Revised Code, or division (A)(2) of section 5741.02 of the Revised Code.

(C) "Tangible personal property is or is to be stored" includes, but is not limited to, the following and other similar transactions:

- (1) Except as provided in paragraph (D) of this rule, the holding of tangible personal property for the consumer for which there is a charge;
- (2) The short-term or long-term holding of clothing for a consumer in a vault or other facility;
- (3) Any other bailment of personal property for which a fee is charged;
- (4) The provision of a locker, self-storage unit, building, or other property, both real and personal, for the lessees or renters use in storing tangible personal property;
- (5) The provision of dry-dockage, drysail docking or of out-of-water storage for watercraft;
- (6) The provision of safe deposit boxes;



(7) Except for parking as provided in paragraph (D)(2) of this rule, the holding of, or provision of space to keep a motor vehicle: or

(8) Airplane storage. "Airplane storage" is an aircraft at rest, either in a hangar or by tie-downs, during which the engine of the aircraft is not maintained in an active or operational condition pursuant to the directives found in the "Pilot's Operating Handbook" for the aircraft.

(D) "Tangible personal property is or is to be stored" does not include the following or other similar transactions:

(1) Storage of tangible personal property held by the consumer for sale in the regular course of the consumer's business, including raw materials and work-in-progress;

(2) Parking provided as an adjunct to residential accommodations and parking in a public or private commercial facility or lot, used for the parking of vehicles. Parking of vehicles is to be distinguished from the storage of vehicles. Examples of parking would include parking at an airport and parking in a parking lot where the fee is paid on a monthly basis. An example of storage would include the storing of a collectible automobile that is occasionally removed and returned;

(3) The in-water moorage of watercraft at a dock or pier;

(4) The kenneling or boarding of an animal where the true object of such service involves animal care that includes additional services such as the care and feeding of the animal and the charges for such additional services are not separately stated;

(5) The provision of private mailboxes; or

(6) Bailments where no fee is imposed as a condition of the bailment, even if tipping is permitted.

(1) Determination of the tax due on currency or coin-operated storage modules, such as coin-operated lockers, shall be made either by using the pre-determined method provided in this paragraph or by a method approved by the tax commissioner under section 5739.05 of the Revised



Code. Vendors using the following predetermined method do not need to apply to the tax commissioner for authorization:

- (a) The average charge per transaction is broken down into two components, one representing price and the other representing sales tax.
- (b) The average charge per transaction for the reporting period shall be determined and divided by the sum of one plus the percentage total rate of tax applicable in the taxing jurisdiction which the storage space is located to arrive at the price component of the average charge per transaction. Any fraction of a cent included in such price shall be dropped.
- (c) The average charge per transaction minus the "price component" determined under paragraph (E)(1)(b) of this rule yields the "sales tax component."
- (d) The total receipts for the reporting period shall be divided by the average charge per transaction to arrive at the number of transactions.
- (e) The number of transactions as determined under paragraph (E)(1)(d) of this rule shall be multiplied by the "sales tax component" determined under paragraph (E)(1)(c) of this rule. This result is the amount to report as the tax on such sales for the reporting period. Taxable sales for the reporting period is total receipts less the sales tax.

(2) The following is an example of the procedure to be used pursuant to paragraphs (E)(1)(b) to (E)(1)(e) of this rule:

- (a) The average charge per transaction is fifty cents and the rate for the taxing jurisdiction is seven per cent. The resulting calculation under paragraph (E)(1)(b) of this rule is $\$0.46728972$, ($\$0.50/1.07$) The fractions of a cent are dropped, yielding a price component of forty-six cents for the average charge per transaction.
- (b) The forty-six-cent "price component" of the transaction is subtracted from the fifty-cent average charge per transaction, resulting in the "sales tax component" of four cents included in each fifty-cent charge.



(c) The total receipts of \$1,025.25 are divided by the fifty-cent average charge to arrive at 2,050.5, the number of transactions.

(d) The 2,050.5 transactions are multiplied by the "sales tax component" of four cents per transaction, resulting in the amount to report as the tax on such sales of \$82.02.