**Private Letter Ruling**

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| **Ruling Number:** | **P-2004-062** |

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| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Gross receipts from the service of renting of rooms by hotels.** |
| **Keywords:** |  |
| **Approval Date:** | **12/29/2004** |

**Body:**

Office of Policy & Research

December 29, 2004

XXXX
XXXX
XXXX

Re: Private Letter Ruling Request Dated December 27, 2004

Dear XXXX:

This responds to the above referenced correspondence, in which you state:

“I am writing to request a Private Letter Ruling for AAAA, which is a hotel located in BBBB. They are entering into a three-year contract with CCCC, where the hospital will rent a block of five rooms for a fixed monthly amount of $6,000. The rooms will be used for a sleep laboratory by the hospital, which does not comply with the ordinary term “sleeping rooms” as referred to in the statute. These rooms are set aside for use by CCCC only, and will house the hospital’s privately-owned equipment, such as computers, cameras, oxygen concentrators, monitors and furniture. The hotel is supplying the bed and a chair, as well as linens and daily cleaning.”

You ask whether the contract amount will be subject to sales tax. The answer is yes. K.S.A. 2003 Supp. 79-3603(g) imposes sales tax on the “gross receipts from the service of renting of rooms by hotels.”

This private letter ruling is based solely on the facts provided in your request. If it is determined that undisclosed facts were material or necessary to make an accurate determination by the department, this ruling is null and void. This private letter ruling will be revoked in the future by operation of law without further department action if there is a change in the statutes, administrative regulations, or case law, or a published revenue ruling, that materially affects this private letter ruling.

Very truly yours,

Richard L. Cram

**Date Composed: 01/04/2005 Date Modified: 01/04/2005**