



MCCFA HOTEL/MOTEL TAX FREQUENTLY ASKED QUESTIONS

WHEN DOES THE NEW TAX COLLECTION BEGIN? MARCH 1, 2021

On December 3, 2020, the Board of Directors of the Montgomery County Convention Facilities Authority (the "Authority") approved imposition of a Hotel Lodging Excise Tax (the "Tax") pursuant to the authority granted to it under Chapter 351.021(C)(3) of the Ohio Revised Code. The Tax imposes a 3% excise tax levy on all applicable lodging transactions within Montgomery County, Ohio (the "County"). The Tax shall apply and shall be collectible by the Vendor from the Consumer at the time the lodging is furnished and shall apply and be administered consistent with the Code of Regulations adopted by the Authority with respect to the Tax.

WHO PAYS THE TAX?

Hotel/motel owners are to include the tax on guest bills, therefore, in most instances the tax will be paid by the customer. However, if the hotel/motel owner does not collect the tax from the customer the owner is responsible for payment of the tax. "Hotel" is defined as a place where 5 or more sleeping accommodations are offered to guests even if the rooms are in separate structures. If a business has less than five rooms, the county hotel/motel tax is not applicable.

WHAT INFORMATION AM I REQUIRED TO REPORT?

1. The period for which you are reporting
2. Identifying information about your business name and address
3. Your gross rental revenue
4. The amount of exemptions you are claiming (must be documented on an exemption certificate)
5. The tax due at 3.0%
6. The amount of tax you collected
7. Information regarding your occupancy: Number of rooms available and the percentage of occupancy
8. Your signature and printed name

WHAT IS THE TAX RATE?

3.0%



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ARE THERE ANY EXCEPTIONS?

Yes, there are three and they must be documented on an Exemption Certificate.

1. Rooms used by federal government employees, are exempt from this lodging tax IF the room is paid by direct billing to a department or agency of the federal government.
2. If a room is occupied for 30 or more consecutive days by the same guest(s) an exemption is given.
3. Rooms used only for meetings and not for occupancy are not included in this tax.

ARE OTHER ORGANIZATIONS EXEMPT IF THEY PRESENT A TAX-EXEMPT CERTIFICATE?

No, a tax-exempt certificate applies to general sales tax and in Ohio, the lodging tax is permitted under separate legislation.

HOW DO I LET THE MCCFA KNOW A ROOM RENTAL IS EXEMPT FROM THE TAX?

For each qualified stay the owner must complete, sign, and submit an Exemption Certification. This short form will be sent to you prior to March 1, 2021 (remember to keep a photocopy for your own files). A copy of the Exemption Certificate must accompany all filings where an exemption is listed.

WHEN IS THE TAX DUE?

The tax is due in full no later than the last day of the month following the stay. For example, the tax is due on or before April 30th for all stays in March.

HOW DO I PAY THE TAX?

A HOTEL-MOTEL TAX RETURN form will be sent to you prior to March 1, 2021. You simply complete this short form each month, then sign it, attach your check and one copy of the form and mail them to the address on the form. Keep a copy for your records.

WHAT HAPPENS IF I AM LATE?

Failing or report and/or pay taxes on time could result in interest and penalties being charged.



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WILL MY RETURNS BE CHECKED?

Yes, the MCCFA will review records to determine if the proper amount of tax has been calculated and remitted. Your records are to be open to inspection by the MCCFA during regular business hours.

WHAT RECORDS ARE REQUIRED?

Each vendor shall maintain and keep complete and accurate records of rents, together with a record of the tax collected thereon, which shall include:

- Primary records such as all guest or rent registers; rent invoices, statements or bills, rent payments and/or refunds; room rate sheets or cards of prices per day of each room, income tax returns and Ohio sales tax returns; lodging tax returns along with exemption certificates; cash register tapes and all other pertinent documents.
- Secondary records such as bank deposit receipts and day books, journals, or any other records, plus the detailed records from which the data was accumulated.
- Guest or rent invoices; statements or bills and cash register tapes for taxable rents must have the total taxable rent and the tax charged and collected separately stated. These amounts are to be accumulated and recorded in a secondary record.
- Rent invoices must also clearly show the length of stay in terms of consecutive days, for each guest.
- All records are to be kept for at least four years.

I JUST BOUGHT THIS HOTEL/MOTEL, AM I RESPONSIBLE FOR PAST TAXES?

The vendor selling the business should file a return within 15 days after selling or quitting the business. If payment is not sent with that filing, the new owner should withhold a sufficient amount of purchase money to cover the amount due, and then submit payment by the date due. If the purchaser does not withhold funds from the purchase money for past tax obligations he/she will be personally responsible for the payment of taxes, interest, and penalties occurred and unpaid during the operation of the business by the former owner