

**New Hampshire Department of Revenue Administration
109 Pleasant Street, Concord, NH 03301**

**TECHNICAL INFORMATION RELEASE
TIR 2009-011 Date September 3, 2009**

A Technical Information Release is designed to provide immediate information regarding tax laws administered by the Department or the policy positions of the Department as a service to taxpayers and practitioners. A Technical Information Release represents the position of the Department on the limited issues discussed herein based on current law and Department interpretation. For the current status of any tax law, practitioners and taxpayers should consult the source documents (i.e., Revised Statutes Annotated, Rules, Case Law, Session Laws, etc.).

MEALS AND RENTALS TAX ON SEASONAL RENTAL OF PROPERTY

The New Hampshire Department of Revenue Administration is engaged in a compliance initiative regarding the New Hampshire Meals and Rentals Tax (M&R). Property owners and operators who offer sleeping accommodations to the public, through a typical hotel, a tourist home or cottage, or short term rental, must be licensed M&R operators and must collect the M&R Tax from occupants and remit it to the Department.

Many property owners who offer their properties for rent to the public have not been collecting the M&R Tax as required. We are engaged in a compliance initiative to identify owners who rent to the public, but are not collecting and remitting the proper amount of tax.

Real Estate Brokers

Pursuant to RSA 78-A:19, we are requesting information from Brokers pertaining to their clients and the rents collected on their behalf in order to identify those properties for which M&R Tax is being collected and remitted. Brokers who are contacted will be required to submit information based on a specific request by the Department.

This information will be kept confidential as is required under New Hampshire RSA 21-J:14 "Confidentiality of Department Records."

Owners Who Rent Directly to the Public

The Department will also contact owners who have rented property to the public, but did not remit the tax to the Department. These owners will be required to complete an Application For Meals and Rentals Tax Operators License (Form CD-3), as well as separate Meals and Rentals Tax Returns (Form DP-14) for each year from 2005 to 2008 that tax is owed. Along with completed Meals and Rentals Tax Returns, owners will be requested to submit copies of their Federal Schedule E or other tax form that reports the rental activity.

Owners who are contacted, but are collecting and remitting New Hampshire Meals and Rentals Tax in accordance with RSA 78-A will be required to provide the Department with their Meals and Rentals License # and business name on the license.

Any questions pertaining to the above should be directed to the Audit Division at (603) 271-3400.

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the N.H. Department of Revenue Administration, 109 Pleasant Street, Concord, NH 03301 or by contacting them at (603) 271-2318.