



Georgia Department of Revenue
Policy Bulletin SUT-2018-02
Charges for Rooms, Lodgings, or Accommodations
Furnished to Transients

Purpose: This Policy Bulletin provides guidance related to the correct application of sales and use tax applied to charges for any room, lodging, or accommodation in this state furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients for a consideration.

Publication Date: March 8, 2018

Authority: O.C.G.A. §§ 48-8-2 and 48-8-30; Ga. Comp. R. & Regs. r. 560-12-2-.51; Atlanta Americana Motor Hotel Corp. v. Undercofler, 222 Ga 295 (1966).

Scope: A Policy Bulletin is intended to provide guidance to the public and to Department personnel. It is a written statement issued to apply principles of law to a specific set of facts or a general category of taxpayers, superseding all conflicting documents and oral directives previously issued by the Department. A Policy Bulletin does not have the force or effect of law and is not binding on the public. It is, however, the Department's position and is binding on agency personnel until superseded or modified by a change in statute, regulation, court decision, or subsequent Policy Bulletin.

Issue: How is Georgia sales tax appropriately applied to charges for rooms, lodgings, or accommodations furnished to transients by hotels, inns, tourist camps, tourist cabins, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients for consideration?

Discussion of Issue: Sales tax is levied on the sale or charges for any room, lodging, or accommodation in this state furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients for a consideration. The tax does not apply to accommodations supplied to any one person for a period of 90 continuous days or more.

Any person (including owners of private residences, cabins, or cottages and rental agents who rent such accommodations to transients on behalf of the owners) who makes a sale or charges for any room, lodging, or accommodation is considered a retailer and dealer for purposes of administering the Georgia sales and use tax laws.

Sales price is the amount subject to sales tax. This notice clarifies the types of charges that are included in the sales price of rooms, lodgings, or accommodations.

The sales price of a room, lodging, or accommodation includes but is not limited to the charges listed below. As part of the sales price, these charges are subject to tax, regardless of whether the charge is stated separately from the base room, lodging, or accommodation charge:

- Credit card fee
- Damage fee
- Early/late departure fee
- Extra person charge
- In-room safe fee*
- Inspection fee
- Linen fee*
- Maid/cleaning fee
- Maintenance fee
- “Peace of mind” fee (similar to insurance but provided by hotel or rental agency rather than third-party carrier)
- Pet fee
- Reservation fee (also referred to as a service, handling, processing, or administrative fee)
- Resort fee (also referred to as a facility fee)
- Security deposit
- Smoking fee
- Charges for cribs and roll-away beds*
- Charges for microwave ovens and refrigerators*
- Charges for Internet access, pay-per-view, and telephone calls

*Providers of accommodations are end users and consumers and as such are liable for tax on all purchases of tangible personal property used to make their rooms livable and rentable to guests. Even when part of a guest’s charge is attributable to such property, the property is not being resold to the guest and may not be purchased for resale by the accommodations provider.

**For more information, please contact the Department at 1-877-423-6711
from 8:00 a.m. to 4:30 p.m. EST, Monday through Friday, excluding holidays.
Taxpayers with hearing or speech impairments may call our TDD number at 404-417-4302.
For forms and other information, visit the Department’s website at dor.georgia.gov.**