



Excise Tax Advisory

Excise Tax Advisories are interpretive statements authorized by RCW 34.05.230.

NUMBER: 3009.2009

ISSUE DATE: February 2, 2009

Sale of Tangible Personal Property by a Joint Venturer to the Joint Venture

Is the sale of tangible personal property by an investor in a joint venture to the joint venture exempt from retail sales tax under WAC 458-20-106 (Rule 106)?

Where a joint venture investor transfers equipment to the joint venture in exchange for cash a sale occurs.

A “sale” is “any transfer of the ownership of, title to, or possession of property for a valuable consideration.” RCW 82.04.040(1). The sale of tangible personal property to a joint venture by an investor in the venture is not exempt from the retail sales tax. See Rule 106.

All ETAs were cancelled on February 2, 2009 and those which had a continued use were rewritten and reissued using a new numbering system. The new ETAs are numbered using the following format 3nnn.yyyy. The Department of Revenue issued ETA 3001.2009 which includes a cross reference table showing the old and new ETA numbers for those ETAs that were rewritten.

Please direct comments to:
Department of Revenue
Interpretation and Technical Advice
Division
P O Box 47453
Olympia, Washington 98504-7453
(360) 570.6124 eta@DOR.wa.gov

To inquire about the availability of receiving this document in an alternate format for the visually impaired or language other than English, please call (360)705-6715. Teletype (TTY) users please call 1-800-451-7985.