

**STATE BOARD OF EQUALIZATION**

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*Executive Director*

July 1, 1992

REDACTED TEXT

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This is in response to your inquiry by telephone to this office about multiple listing service publications and credit rating reports.

The Board treats transfers for a consideration of multiple listing service publications as sales of tangible personal property. Until July 15, 1991, the only issue with respect to these publications had been whether such sales qualified for the newspaper and periodical exemption. BTLG Sales and Use Tax Annotations 385.0340, 385.0341, and 385.0350.

The tax treatment of credit rating reports will depend upon the contract between the parties, how the report is marketed, and other factors and must be determined on a transaction by transaction basis. If a customer makes a request for a report on a specific person or entity, the transaction most likely will be treated as a library search and therefore a nontaxable service. However, if the credit rating business sells standardized reports to more than one customer or markets such reports to the public or to a specific segment of the public, even if there is only one purchaser, the credit rating business is making taxable sales of tangible personal property.

Very truly yours,

Gary J. Jugum  
Assistant Chief Counsel

GJJ:cl

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bc: Mr. Glenn A. Bystrom  
Out-of-State District Administrator