



## SALES TAX FOR AUCTIONEERS

*The purpose of this publication is to provide information regarding state and municipal sales tax as it applies to auctioneers. This publication provides general information. It is not a substitute for tax laws or regulations.*

### GENERAL INFORMATION

- An auctioneer commissioned to sell property on behalf of another, and who is licensed under West Virginia Code § 19-2C-1, is not providing a service that is subject to the sales tax.
- Services, fees or commissions received by an unlicensed auctioneer would be subject to the tax.

### AUCTIONEER RESPONSIBILITY TO COLLECT SALES TAX

- Auctioneers are responsible for collecting sales tax from those who buy taxable goods at auction and for remitting that tax to the State Tax Department.
- A municipal tax may also apply. For a list of municipalities, effective dates and rates, visit our website at:

<https://tax.wv.gov/Business/SalesAndUseTax/Pages/SalesAndUseTax.aspx>

### TAXABILITY OF GOODS SOLD AT AUCTION

- Auctioneers need to be familiar with the laws governing taxability of the goods sold at auction. For example, a person may sell items of tangible personal property through an auctioneer on four separate occasions during the year without subjecting the property to sales tax, even though the auctioneer may make numerous sales for other clients during the year. Each of these occasions is considered an "isolated transaction." An example of an "isolated transaction" is when an auctioneer is hired to auction the furnishings and equipment from an owner's home or farm on a one-time basis. This also applies to sheriffs' sales and sales under chattel deeds of trust.
- If an owner engages an auctioneer more than four times a year, the isolated transaction exemption ceases to apply and all sales by that owner become taxable. Items that are purchased solely for resale are not subject to sales tax. Purchasers of such items must present a properly completed Certificate of Exemption [[SSTGB Form F0003](#)] to the auctioneer to qualify for the tax exemption.

### PURCHASES

- An Auctioneer must pay tax on all of his or her purchases for use in business except purchases for resale.

### ASSISTANCE AND ADDITIONAL INFORMATION

- For assistance or additional information, you may call a Taxpayer Service Representative at:

**1-800-WVA-TAXS  
(1-800-982-8297)**

Or visit our website at:

[www.tax.wv.gov](http://www.tax.wv.gov)

File and pay taxes online at:

<https://mytaxes.wvtax.gov>