

MOBILE HOME TAXATION
Report of the
VIRGINIA ADVISORY LEGISLATIVE COUNCIL
To
The Governor
And
The General Assembly of Virginia



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MOBILE HOME TAXATION

Report of the

Virginia Advisory Legislative Council

Richmond, Virginia
November 20, 1974

To: Honorable Mills E. Godwin, JR., Governor of Virginia

And

The General Assembly of Virginia

I. Introduction

The 1970 federal census showed that there were 46,514 mobile units used as permanent dwellings in the Commonwealth of Virginia compared to only 17,257 units in 1960. An estimate prepared by the Division of Legislative Services shows the number of units to have increased to approximately 77,000 in 1974. Approximately 80% of all new housing purchased in 1973 in Virginia and costing less than \$20,000 were mobile homes. The mobile home industry has evolved, over the years, from producing "trailers" capable of being towed behind the family automobile and historically purchased by consumers not wishing to remain in one particular location for an extended period of time to luxurious "double-wide" mobile homes up to seventy feet in length and twenty-four feet in width, capable of housing the average American family comfortably.

The taxation of mobile homes and mobile home parks has been a continuing source of controversy by owners, the industry and local commissioners of the revenue and assessors. As the number of mobile homes increased, the attitude of local residents towards mobile homes changed from that of apathy and complacency to an awareness and demand that mobile home owners pay a greater share of the tax burden than previously required.

Historically, mobile homes have been classified as personal property for taxation purposes and were required to be titled by the Division of Motor Vehicles. A special tax was levied on the sale and use of such homes in 1966 and taxes were placed on the owners of mobile home parks. The controversy arising from residents demanding more tax base from mobile homes and the owners of such homes demanding more equitable treatment in the levying of taxes culminated in the adoption of House Joint Resolution No. 106, which reads as follows:

HOUSE JOINT RESOLUTION NO. 106

Directing the Virginia Advisory Legislative Council to make a study

and report on all tax laws affecting mobile home owners and owners of mobile home parks.

Whereas, numerous citizens of the Commonwealth own mobile homes which are either resided in by the owner thereof as a residence or leased as rental property and which are assessed and taxed by the several localities as tangible personal property; and

Whereas, there are wide variations in the assessment and taxation of such dwellings and such general lack of uniformity oftentimes results in the inequitable levying of the personal property tax; and

Whereas, many states have considered the proposition of taxing mobile homes as real estate to eliminate any possible preferential treatment to individuals residing in a permanent homestead; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the Virginia Advisory Legislative Council is directed to study all tax laws affecting mobile home owners and the owners of mobile home parks and determine whether such individuals are paying more than their fair share of the tax burden. The Council shall also determine the feasibility of taxing mobile homes as realty. The Council shall complete its study and report to the Governor and the General Assembly no later than October one, nineteen hundred seventy-four.

Pursuant to this directive, the Virginia Advisory Legislative Council, hereinafter referred to as the Council, appointed William V. Rawlings, a member of the Senate and the Council, to conduct a preliminary study and make recommendations concerning those issues presented in House Joint Resolution No. 106. Senator Madison E. Marye, a farmer and businessman from Shawsville; Delegate Lacey E. Putney, attorney at law from Bedford; Delegate Archibald A. Campbell, attorney at law from Wytheville; Rennie W. Bridgman, Commissioner of the Revenue from Dinwiddie; William H. Forst, State Tax Commissioner from Midlothian; Charles T. Moses, Jr., automobile dealer from Appomattox; and Marvin M. Parr, Executive Director, Virginia Manufactured Housing Association from Chesapeake served with Senator Rawlings on the Committee. Esson M. Miller, Jr. and Jill M. Pope served as Committee counsel and research associate, respectively. The Committee elected Mr. Putney to serve as Vice-Chairman. The Committee met numerous times at the State Capitol and conducted public hearings in Richmond and Roanoke.

SUMMARY OF PRESENT STATE LAWS APPLICABLE TO **MOBILE HOMES AND MOBILE HOME PARKS**

Article X, Section 4, of the Constitution of Virginia, states in part that "...tangible personal property, except the rolling stock of

public service corporations, (is)...segregated for, and made subject to, local taxation only, and shall be assessed for local taxation in such manner and at such times as the General Assembly may prescribe by general law.” Article X, Section 1, of the Constitution provides that all property, not specifically exempt, shall be taxed, but shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax. All assessments of real estate and tangible personal property must be at their fair market value.¹ The fair market value of property is defined as the price which it will bring when it is offered for sale by one who desires, but is not obliged, to sell it, and is bought by one who is under no necessity of having it.² The Supreme Court of Virginia has stated that the value of tangible personal property is dependent upon many factors which cannot be prescribed by any general rule.³

A 1960 Act of the General Assembly defined, as a separate item of taxation, all vehicles used or designed to be used as mobile homes and provided that such vehicles shall constitute a classification for local taxation separate from other classifications of tangible personal property.⁴ The Act further provided that the rate of assessment and rate of tax shall not exceed that applicable to other classes of tangible personal property. In 1970, the provision that the rate of assessment not exceed that applicable to other classes of property was deleted.⁵ A survey conducted by the Committee’s staff indicated that only twenty-five of the one hundred and five cities and counties responding actually treat mobile homes for taxation purposes as a separate classification of personal property (See Appendix I).

Section 46.1-41 of the Code of Virginia requires mobile homes to be registered and titled as motor vehicles. The Virginia Motor Vehicle Sales and Use Tax Act (§ 58-685.10 et seq.) provides for a two percent tax on the sale price of each motor vehicle sold, used or stored in the Commonwealth. A 1973 amendment to § 58-685.11 specifically includes mobile homes within the definition of motor vehicles.⁶ All funds collected under the provisions of this Act are appropriated to the highway construction fund for use in the construction and maintenance of highways.⁷ Because of migratory use of early trailers and the need for central administration and control of the levy, the motor vehicle tax became one of the more widely used forms of mobile home taxation. Studies now indicate, however, that a mobile home, once placed in a locality, seldom moves. A 1967 survey conducted by the U.S. Department of Housing and Urban Development indicated that eighty-one percent of mobile home household heads stated that they planned to continue living in their mobile homes indefinitely and in their current locations. Although there have been studies showing contrary evidence,⁸ it is a generally accepted fact within the industry that a mobile home makes some form of relocation only once every five years. The practice of placing the revenues collected from the Virginia Motor Vehicles Sales and Use Tax Act in the highway construction fund is no longer justified as mobile homes are seldom moved over Virginia highways except for the purpose of transporting the homes from their purchase site to their permanent location.

Of general concern among local commissioners of the revenue is the problem of identifying mobile homes being located within their political subdivisions for taxation purposes. The Council

concluded that this particular problem has been substantially alleviated by the enactment of § 58-766.3 of the Code of Virginia.

Section 58-766.3, which was passed during the 1974 Session of the General Assembly⁹ and became effective July 1, 1974, provides that no mobile home shall be delivered to or located upon a parcel of real estate until a permit for connection to water and sewer outlets or well and septic system have been acquired. The section further provides that any mobile home owner, moving into a county, city or town, must, within ten days after moving, notify the commissioner of the revenue or director of finance of the locality by presenting his name, address and description and location of the mobile home. Also, once in the locality an owner is prohibited from moving his home from the locality until all property taxes assessed or assessable against such person have been paid. Sellers of mobile homes are required to deliver to a purchaser a copy of § 58-766.3 at the time of sale. Violations of any provision of this section constitute a misdemeanor.

The Industrialized Building Unit and Mobile Home Safety Law (§§ 36-70 et seq.) directs the State Corporation Commission to prescribe standards for the construction of mobile homes. Section 36-71(4) defines a mobile home as follows:

(4) "Mobile home" means an industrialized building unit constructed on a chassis for towing to the point of use and designed to be used without a permanent foundation for continuous year-round occupancy as a dwelling; or two or more such units separately towable, but designed to be joined together at the point of use to form a single dwelling, and which is designed for removal to, and installation or erection on other sites.

Violations of any rule or regulation of the Commission constitute a misdemeanor.

Chapter 6 of Title 35 of the Code of Virginia (§§ 35-61 et seq.) authorizes the governing bodies of counties to regulate by ordinance the location and operation of "trailer camps". Section 35-62 permits counties to impose a license tax upon any person, firm, corporation, etc. who, or which, operates a trailer camp. Such taxes may be based upon the maximum number of trailers which are permitted by the license to be parked or placed in the camp at any one time. Section 35-62.1 provides that the governing body of any county, adjoining a county having a population of more than one thousand per square mile, may impose a tax not exceeding one hundred dollars a year on house trailers kept on property other than that owned by the person residing in such trailer.¹⁰ The section further provides that the governing body may deem it unlawful for any person to keep a trailer on property not licensed as a trailer park or owned by him, whether occupied by the owner thereof or not.

Article 1.1 of Chapter 6 of Title 35 (§§ 35-64.1 et seq.) provides for the assessment and collection of license taxes upon the operation of trailer camps and trailer parks and the parking of individual trailers on individual lots not in parks or camps by the governing body of any political subdivision. The definition of

“trailer”, as used in this Article, was expanded, during the 1974 Session of the General Assembly, to specifically include mobile homes.¹¹ Once the political subdivision has enacted such an ordinance, it becomes unlawful for any person to park a trailer in any location in the locality, except in a trailer park or on an individual lot for which such person has obtained a license. An annual license tax of not less than five nor more than fifty dollars per trailer lot, whether used or intended to be used as such, may be assessed on the operator or owner of a trailer park or on a person parking a trailer on an individual lot. This provision applies regardless of whether the owner of the trailer owns the parcel of land. Article 2 of this chapter (§§ 35-65 et seq.) provides for the regulation of trailer camps by the State Board of Health with regard to cleanliness and general sanitation. It should be noted that it has been held by the Attorney General to be improper for an ordinance, which provides for the levying of a license tax on trailer park owners, to exempt a person parking a trailer on an individual lot not in a trailer park from the payment of such license tax. The rationale of the Attorney General was that the operations listed are in the conjunctive rather than the disjunctive.¹²

THE “FAIR SHARE” ARGUMENT

The Committee’s initial approach to House Joint Resolution No. 106 was to endeavor to ascertain whether the owners of mobile homes were “paying more than their fair share of the tax burden.” Essentially two approaches were examined by the Committee in analyzing the “fair share” argument. The first approach attempts to balance the tax revenues received from mobile homes with those revenues received from conventional homeowners. With the purchase of a new mobile home, there is evidence that in some localities the mobile home owner will pay more taxes initially than the conventional home owner of a similar tax base status. This is caused primarily by the fact that the personal property tax rate in these localities is substantially greater than the rate levied against real property. In addition to property taxes, the mobile home purchasers have to pay a two percent motor vehicle sales tax. The conventional home owner, however, pays a sales tax on the materials used to construct the dwelling via his purchase price. For each item that a builder has paid a sales tax on, it is a logical assumption that the tax has been passed on to the purchaser.¹³ It should be noted, however, that revenue generated from older mobile homes declines rapidly with age. The tax base of a mobile home declines substantially each year, since their life expectancy is generally considered by local assessing officials to be approximately ten years.¹⁴ However, industry spokesmen testified that the actual physical depreciation depends significantly on the treatment a mobile home is given by its owner and that such depreciation, therefore, varies considerably and bears little relationship to actual physical depreciation. There can be no argument, however, about the fact that a mobile home declines in tax base value and subsequently generates a decreasing amount of tax revenue while a conventional home appreciates in tax base value, is reassessed periodically and subsequently generates an increasing amount of tax revenue

It should also be noted that, in some localities, the loss of tax

revenue has been minimized substantially by the assessing formulas utilized by local officials. The formulas vary from assessment on a square footage basis to a sliding scale ratio using the actual price paid for the home as the maximum ceiling. (See Appendix I)

The second approach, sometimes called the “benefits received theory”, attempts to balance the relationship between the taxes paid by mobile home owners and the public services which are rendered by the locality for the taxes received. This is essentially a departure from the historical and legal concept of local property taxation.¹⁵

It is argued by the industry that very few public services are furnished to mobile homes located in parks. Park streets ordinarily are not dedicated, but are built and maintained by the owner. Recreation and community facilities similarly, are not charges on public funds. Police patrol is usually by invitation only or by special arrangement. Water supply, sewage and trash disposal are usually provided either by park management or through a payment of a fee to the municipality. Demands, upon fire, library and welfare facilities, as well as general governmental administrative services, are likely to be similar to those made by residents of conventional homes.

The points of argument utilized by individuals claiming that mobile home occupants are not paying enough taxes are normally centered around the education of the children of such owners. However, industry surveys claim that the national average number of school-age children per mobile home is .700¹⁶ which is lower than the national average for conventional homes. A survey conducted by LENOWISCO showed the average to be .55 per mobile home and .910 for the surrounding neighborhood.¹⁷ The following excerpt from a study conducted by Lewis G. John, Dean of Students and Associate Professor of Politics, Washington and Lee University, sums up the consensus of the surveys examined by the Committee.

As a general conclusion, it is probably accurate to say that costs to local governments of mobile home households, especially of those located in parks, are somewhat lower on the average than for households in conventional homes and that similarly, mobile home households pay a smaller average amount in taxes channeled to local governments. It is extremely difficult to balance local expenditures against revenue per dwelling unit, but one expert has concluded that “single-family detached housing is generally found to require greatest subsidy, garden apartments and mobile home parks come closer to paying their own way, and high-density (and particularly high-rise) apartments turn in a substantial surplus.” Density remains an important variable.

Studies at the local level have reached various conclusions. A 1969 study in Macomb County, Michigan, concluded that mobile home taxes were less per unit than single-family residences, but that school taxes per school-age child were greater. A 1971 study of Prince William County, Virginia, concluded that mobile home households require just as many county services as other housing types, but a 1970 study

reaches precisely the opposite conclusion for Frederick County, Maryland. Further, mobile homes were found to pay the least amount of taxes of any housing type in Prince William County, but in Frederick County, mobile homes in parks paid as much or more per acre as a conventional subdivision of average priced homes.¹⁸

The Committee found that it would be impossible to determine whether a mobile home was paying its "fair share" of the tax burden as directed by House Joint Resolution No. 106, unless a thorough study was conducted encompassing a total picture of all aspects of taxation. Because of the various discrepancies attempting to substantiate the "fair share" argument through the balance and the benefits received theory, the Committee concluded that a third approach to mobile home taxation should be utilized. This approach is simply a consideration of mobile homes as a reasonable and desirable form of housing and taxing it accordingly. Such an approach would necessitate uniformity among all localities in the tax levied on mobile homes. The Council is in agreement with the findings of the Committee.

CONSIDERATION OF MOBILE HOMES AS HOUSING

It is the opinion of the Council that mobile homes designed and equipped for continuous year-round occupancy as a dwelling should be considered as housing. With this initial primus, the Council adopted the principal of horizontal equity in the taxation of mobile homes. Horizontal equity requires that people in like circumstances be taxed similarly. Taxation should affect equally all those who own similar kinds of property of the same value since according to this criterion, the owner of a mobile home should pay the same tax per dollar of shelter as the owner of a conventional home.

RECOMMENDATIONS AND RATIONALE

- I. That § 58-829.3 of the Code of Virginia be amended to provide that the ratio of assessment and the rate of taxation for mobile homes shall be the same as that applicable to real property and that such tax may be prorated if such mobile home has been within a locality for less than one year.

As a practical matter, horizontal equity is impossible to achieve unless taxation is by the same method.¹⁹ Equal tax treatment can thus be achieved either by taxing a mobile home at the same effective ratio of assessment and rate of tax as a conventional home or by statute defining a mobile home as real estate for purposes of taxation. The Council feels that the first of these alternatives is the most desirable method.

Throughout the public hearings sponsored by the Council's Committee, witnesses testified to the importance of maintaining the classification of mobile homes as personal property and the registration of mobile homes with the Division of Motor Vehicles. A

mobile home is currently financed in the same manner as a motor vehicle. This system has proven to be a workable and convenient method in which to finance a mobile home and the Council anticipates that any change in the present system would be devastating to the industry.

In its effort to establish horizontal equity in the taxation of mobile homes, the Council also recommends that the property taxes on mobile homes be prorated on a quarterly basis when such home has been situated within a locality for less than one year.

II. That the provisions of the Virginia Motor Vehicle Sales and Use Tax Act (§ 58-685.12 et seq. of the Code of Virginia) requiring a two percent sales and use tax on the sale price of mobile homes be increased to three percent. In the event an owner trades in a used mobile home, the tax would be levied only on the cash consideration (price less trade-in). Revenues collected under the Virginia Motor Vehicle Sales and Use Tax Act should be distributed to the locality in which the mobile home is to be situated instead of being appropriated to the highway construction fund as is provided in § 58-685.23.

Because of migratory use of early trailers and the need for central administration and control of the levy, the motor vehicle tax became one of the more widely used forms of mobile home taxation. Studies now show, however, that a mobile home, once placed in a locality, seldom moves. The practice of placing the revenues collected from the Virginia Motor Vehicles Sales and Use Tax Act in the highway construction fund is no longer justified. Mobile home owners are using Virginia highways almost exclusively for the purpose of transporting the vehicles from their original purchase sites to their permanent locations. The Council, therefore, recommends that the revenues collected from mobile home owners, under the provisions of the Sales and Use Tax Act, be directed to the locality where the mobile home is to be situated.

Since most localities have higher rates of taxation for personal property than real property, these localities should experience a revenue loss (See Appendix IV). The Council, however, feels that the one percent increase in the Motor Vehicle Sales and Use Tax for mobile homes and the distribution to localities of the funds collected under the Act for mobile homes, will balance any anticipated revenue loss.

With the assistance of the Division of Motor Vehicles, the Council's Committee found that \$621,597.56 was collected through the Motor Vehicle Sales and Use Tax from "single weight vehicles capable of being used as living quarters." (See Appendix VI). It should be noted, however, that neither the Division of Motor Vehicles nor the State Department of Highways and Transportation were able to segregate mobile homes from "single weight vehicles." The \$621,597.56 figure, therefore, represents a rather inflated estimate since a considerable number of travel trailers and miscellaneous flatbed trailers were included within the figure. The revenue collected from the travel trailers and miscellaneous flatbeds would continue to be placed in the highway construction fund.

The Council also recommends that the Sales and Use Tax levied on the purchase of a new or used mobile home, when an owner trades in a mobile home, should be based only on the cash consideration. An individual purchasing a newer or larger mobile home by trading in a used mobile home, should not be continuously charged the sales tax on the full purchase price. This recommendation attempts to follow the basic pattern established by the Council of horizontal equity.

III. That the provisions of Chapter 6, Article 1 and Article 1.1, of Title 35 be amended to repeal the enabling legislation allowing governing bodies of political subdivisions the power to impose license taxes upon operators and owners of trailer parks.

The Council found no logical rationale for placing an added license tax on the developers and owners of mobile home and trailer parks. The parks are assessed and taxed like any other real estate and in many cases are actually saving the community certain costs as has been pointed out earlier.²⁰ This added tax is being passed on to the mobile home owner in the form of higher lot rental and does not conform to the concept of horizontal equity.

The Council does, however, recognize that certain localities may desire to place a license tax on the so-called travel trailer parks but feels that this should be accomplished by levying a transient occupancy tax.²¹

IV. That the provisions of § 58-766.2 of the Code of Virginia, allowing a city and county to require the acquisition of a permit for the parking of a mobile home, be repealed.

Maintaining that the mobile home is a form of desirable housing and should be treated for taxation purposes the same as a conventional home, the Council concluded that this practice was also an inequitable requirement violating the principal of horizontal equity. This provision was enacted to assist commissioners of the revenue with the problem of identifying mobile homes within their respective political subdivisions. The Council feels that the need for such permit has been alleviated by the enactment of § 58-766.3, which requires the mobile home owner to register with the commissioner of the revenue within ten days after locating in a city or county.

ADDITIONAL CONSIDERATIONS

Apart from formal recommendations, the Committee made several observations which the Council adopted as beneficial suggestions. It was obvious after conducting only the initial public hearing that the nonuniform process of assessing mobile homes used by local assessing officials is at best confusing. The Committee found that some assessing officials were using a blue book appraisal guide to determine the value of a mobile home while in the adjoining locality the appraisal was based on a square footage calculation. Meaningful uniformity is greatly needed in this area. The Council

condemns the blind obedience to a blue book method of mobile home appraisal and, therefore, suggests that local commissioners of the revenue and assessing officers conduct a joint forum and establish standard methods of valuation for mobile homes. This could best be accomplished by the establishment of guidelines through a Joint Steering Committee composed of representatives from the Commissioners of the Revenue Association of Virginia and the Virginia Association of Assessing Officers. If, after a reasonable period of time, the associations have not promulgated a uniform method of assessment, the Council recommends that a method be established by the State Tax Commissioner and be imposed on all local governing bodies by legislative action.

The Council also suggests that the Division of Motor Vehicles discontinue the present practice of issuing two titles for the "double-wide" mobile home since the units are not habitable in their mobile state.

ACKNOWLEDGEMENTS

The Council wishes to express its sincere gratitude to Lewis G. John, Dean of Students and Associate Professor of Politics, Washington and Lee University, and the numerous State agencies and local officials which contributed their time and talents to the work of the Committee. The Council also wishes to thank Delegate Lewis D. Parker, Jr., a member of the Virginia Housing Study Commission, who served as liaison between the two study groups.

Respectfully submitted,
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FOOTNOTES

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1. Constitution of Virginia, Article X, Section 2.
2. Tuckahoe Woman's Club v. City of Richmond, 199 Va. 734, 1958.
3. Southern Railway v. Commonwealth, 211 Va. 210, 1970.
4. § 58-829.3, Code of Virginia, 1950, 1960 Acts of Assembly, c. 418.
5. Acts of Assembly, 1970, c. 655.

Although no cases have specifically dealt with the provisions of § 58-829.3, numerous Attorney General opinions have been written. In answer to a question regarding whether a mobile home could ever lose its identity as personal property and become realty the Attorney General replied on October 17, 1967 in the negative. (1967 Report of the Attorney General, p. 291).

In an opinion dated June 6, 1966, it was held that even if the owner is in possession of the land and the mobile home that all such vehicles are classified under § 58-829.3 as tangible personal property. (1966 Report of the Attorney General, p. 281). In a letter to the Attorney General, Charles F. Williams, Commissioner of the Revenue of Spotsylvania County, requested an opinion as to the treatment of a mobile home which had been placed on a permanent foundation with wheels removed and with a room or rooms attached. In his response dated May 29, 1974, the Attorney General stated that the status of a mobile home is not changed by placing it on a permanent foundation or adding rooms. If, however, the added rooms themselves appear to have become a permanent part of the realty, then they should be assessed as real property. (See also 1971 Report of the Attorney General, p. 406).

In a 1971 opinion it was stated that Culpeper County could not impose a license tax upon the owners of trailers or mobile homes. (1971 Report of the Attorney General, p. 405). The 1972 General Assembly replied to this opinion by enacting § 58-829.4 which authorized Culpeper County to impose a tax, not to exceed fifty dollars, on the owners of mobile homes. (1972 Acts of Assembly, chapter 352). A provision to this section excluded any mobile home which has had its dolly removed and is affixed to land belonging to the owner of the unit.

6. 1973 Acts of Assembly, Chapter 207.
7. § 58-685.23, Code of Virginia, 1950.
8. A study conducted by Sonja L. Lawson for the LENOWISCO Planning District Commission contained the following tables:

NUMBER YEARS IN PRESENT LOCATION

Years	Lee	Scott	Wise	Norton	LENOWISCO
0 - 1	50.0%	21.4%	63.3%	33.3%	42.0%
1 - 3	43.7%	71.4%	27.8%	62.5%	51.5%
3 and over	6.2%	7.1%	8.9%	4.2%	6.6%

NUMBER OF PREVIOUS MOVES

Moves	Lee	Scott	Wise	Norton	LENOWISCO
0	56.3%	64.4%	53.8%	79%	63.4%
1	25.5%	7.1%	26.2%	21%	19.8%
2	19.0%	7.1%	3.8%	0%	7.5%
2 and over	0%	21.4%	16.2%	0%	9.3%

9. 1974 Acts of Assembly, Chapter 426.
10. 1950 Acts of Assembly, Chapter 329.
11. 1974 Acts of Assembly, Chapter 308.
12. 1969 Report of the Attorney General, p. 81.
13. Taxation of Mobile Homes , Report to the Washington State Legislature by the Legislative Budget Committee, Report No. 66-10, November, 1966; p. 17.
14. The Effect of Mobile Homes Upon Scott County's Revenue Base , LENOWISCO Planning District Commission, Fall, 1973; p. 7.
15. Taxation of Mobile Homes, *op. cit.* , p. 2.
16. Ibid , p. 4.
17. A Mobile Home Study , LENOWISCO Planning District Commission, Sonja L. Lawson, August, 1972, p. 2-2. The report further stated that the mobile home household is smaller in size, with a definite emphasis on children of pre-school age. A significant decrease in the number of school age children is apparent, supporting the thesis that mobile homes are more attractive to younger couples with new families. The survey conducted was as follows:

	LENOWISCO Survey 1970	Neighborhood Analysis 1971	Mobile Home Survey 1972
Average No. School Age Children Per Household	.81	.91	.55
18. The Challenge of Mobile Homes For Governmental Policy and Administration , Lewis George John, Dissertation submitted to the Graduate School of Syracuse University, March, 1973, p.320.
19. Ibid , p. 324.
20. See pp. 12 and 13 of this report.

21. § 58-76.1 of the Code of Virginia allows Albemarle, Arlington, Fairfax, Mecklenburg, Loudoun, Prince William and Rockingham Counties to levy a transient occupancy tax not to exceed two percentum of the amount charged for the space occupied. The Committee is of the opinion that this tax provision is the proper vehicle which should be utilized by a locality in levying a per space tax on travel trailer camps.

APPENDIX

APPENDIX I

<u>City/Co.</u>	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Assessment technique</u>
<u>Cities</u>			
Alexandria	No	70%	5.20
Bedford		60	1.30
Bristol	Yes	square foot	2.80
Buena Vista		70	3.60
			1974 Models assessed 80% cost les
			1973 70%
			1972 60%
			1971 50%
			1970 " 40%
			1969 30%
			1968 20%
			(Nothing under \$1,000)
Charlottesville	No	60	4.79
Chesapeake	No		Model year and size
Clifton Forge	No	40	3.50
Colonial Heights		100	2.50
Covington		100	2.50
Danville	No	75	3.00
Emporia	No	30	4.00
Fairfax City		60	3.98

75% ratio decreased 10% each year until 25% is reached.

FORMULA FOR ASSESSMENT - ALL PROPERTY EXCEPT AUTOS

ASSESSED AT 75 PERCENT OF COST, IF PURCHASED ON JANUARY 1, 1974
 ASSESSED AT 60 PERCENT OF COST, IF PURCHASED IN 1973
 ASSESSED AT 50 PERCENT OF COST, IF PURCHASED IN 1972
 ASSESSED AT 40 PERCENT OF COST, IF PURCHASED IN 1971
 ASSESSED AT 30 PERCENT OF COST, IF PURCHASED IN 1970
 ASSESSED AT 20 PERCENT OF COST, IF PURCHASED IN 1969 OR BEFORE,
 AND WILL BE CONTINUED AT 20 PERCENT AS LONG AS PROPERTY IS IN USE.

*

Mobile Home Taxation

Appendix I (con't)

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	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
<u>Cities</u>				
Falls Church	Not Applicable			
Franklin				
Fredericksburg	No	40	3.20	
Galax	Yes	15	5.75	
Hampton	No	100	4.50	
Harrisonburg	Not Applicable			
Hopewell	Yes	45	3.85	
Lexington	No	100	4.80	
Lynchburg	No	70	3.00	First year, 70% ratio, second year, 50% ratio, third year, 30% ratio, fourth year and thereafter, 20% ratio
Martinsville	Not Applicable			
Newport News	Yes		3.96	Model year and size
Norfolk	Yes		4.00	No percentage ratio used
Norton	Yes	33 1/3	5.50	
Petersburg	No	60		First year 60% ratio; Second year, 50% ratio, Third year, 40% ratio; Fifth year and thereafter, 20%
Portsmouth		100	4.00	
Radford		50	2.80	

Mobile Home Taxation

Appendix I (con't)

T 7/23/74 gh
C 7/30/74 gh

<u>City/Co.</u>	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
Cities				
Richmond	No	100%	3.59	
Roanoke	No		3.45	Blue book-cash value guide No assessment ratio used.
Salem				
S. Boston	Yes	25	4.80	
Staunton	No	70	3.60	First year, 70% ratio; Second year, 50% ratio; Third year, 30% ratio; Fourth year and thereafter, 20%
Suffolk	Yes	25	1.00	
Va. Beach				
Waynesboro	No			
Williamsburg	Not applicable			
Winchester	No	80	3.00	80% ratio used first year. Depreciation allowed at 10% /year until 30% is reached
Counties				
Accomack	No	None	4.90	Rate levied per square foot
Albemarle	No	60	5.90	
Allegheny	Yes	40	4.75	
Amelia	No	30	3.75	
Amherst	No	30	3.35	
Appomattox	No	No set formula		
Arlington	Not applicable			

Mobile Home Taxation

Appendix I (con't)

T 7/23/74 gh
C 7/30/74 gh

<u>City/Co.</u>	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
<u>Counties</u>				
Augusta	Yes	40	3.10	
Bath	No			
Bedford	No	20	3.80	
Bland	No	15		Square footage
Botetourt	No	30	4.70	
Brunswick	Yes	25	3.50	
Buchanan	No	10	5.50	
Buckingham	No	50	3.75	
Campbell		50	3.15	
Caroline	No	40		
Carroll	No	30		
Charles City	No		5.00	
Charlotte	No	20		20% of cost less 10% /year for depreciation
Chesterfield	No	60	3.40	First year, 60% ratio; Second year, 50% ratio; Third year, 40% ratio; Fourth year, 20% ratio; Fifth year and thereafter, 10% ratio.
Clarke	No	25	3.25	
Craig	No		4.00	
Culpeper	No		3.90	20% of rate x square footage

Mobile Home Taxation

Appendix I (con't)

T 7/23/74 gh
C 7/30/74 gh

<u>City/Co.</u>	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
<u>Counties</u>				
Cumberland	No	25	3.60	
Dickenson	No	10	7.00	
Dinwiddie	No	20	3.00	
Essex	No	50	3.50	
Fairfax	Yes	60	4.30	Ratio is 60% to 20% of cost
Fauquier	Yes	20	3.75	
Floyd	No		3.50	yr. & sq. foot
Fluvanna	No	20		
Franklin	Yes	20	4.50	
Frederick	Yes	20	3.70	
Giles	No	14	4.80	Ratio of 14% used for new trailer, declining 10, 8, 6% for the next 3 years. Ratio of 25% used for used trailers, declining 10, 8, 6% for the next three years.
Gloucester	No	30	3.00	
Goochland	Yes	60	3.05	60% ratio scaled down to 20% over the next five years
Grayson	No	25% of cost x 16 2/3		
Greene	No	20	5.50	
Greensville	No	50		
Halifax	Yes	25	2.85	Ratio of 25% used w/ depreciation allowance of 10% /year.
Hanover		100	2.90	

Mobile Home Taxation

Appendix I (con't)

T 7/23/74 gh
C 7/30/74 gh

<u>City/Co.</u>	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
<u>Counties</u>				
Henrico	No		3.80	Sliding scale ratio
Henry	No			
Highland	No	20	4.00	
Isle of Wight	No		3.00	Square foot
James City	Yes	30	4.00	
King George	No	40	3.80	
King & Queen	No	40	2.20	
King William	No	30	3.70	
Lancaster	No	40	3.80	Each year ratio decreases by 5%, to stop at 10%
Lee	Yes	.07	10.22	
Loudoun	No	60	5.00	First year, 60% ratio; Second year, 50% ratio; Third year, 40% ratio; Fourth year, 30% ratio; Fifth year, 20% ratio
Louisa	No	20	3.10	
Lunenburg	No	15	4.00	
Madison	No	25		7% depreciation /year. If don't have cost, square footage used.
Mathews	No	33 1/3	2.50	
Mecklenburg	No	15		Ratio for 1974, 1973 and 1972 year models is 15%. 10% ratio for earlier models.
Middlesex	No	30	3.00	
Montgomery	No	33 1/3	6.90	
Nelson		40	5.00	

Mobile Home Taxation

Appendix I (con't)

T 7/23/74 gh
C 7/3-/74 gh

<u>City/Co.</u> <u>Counties</u>	<u>Sep. class. of</u> <u>personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
New Kent	Yes	20	4.30	
Northampton	Yes	20	4.50	
Northumberland	Yes	50	2.40	First year, 50% ratio; Second year, 40% ratio; Third year, 30% ratio. After three years, lowers ratio according to condition of trailer.
Nottoway	No	25	3.90	Square footage and model year
Orange	No	33 1/3	4.45	yr. & sq. foot
Page	No		5.85	
Patrick	No	30		
Pittsylvania		30	2.75	
Powhatan	No	33 1/3	3.50	
Prince Edward	No	20	2.80	
Prince George	No	60		
Prince William	No	40		
Pulaski	Yes	.08	5.30	
Rappahanock	No	25		
Richmond	No	40	3.50	
Roanoke	No			
Rockbridge	No	50		
Rockingham	Yes	40	2.70	
Russell	Yes	15	4.35	
Scott	No	10		Lineal feet and model year

Mobile Home Taxation

Appendix I (con't)

T 7/23/74 gh
C 7/30/74 gh

<u>City/Co.</u>	<u>Sep. class. of personal property</u>	<u>Assessment ratio</u>	<u>Rate/100</u>	<u>Assessment technique</u>
<u>Counties</u>				
Shenandoah	No	40	2.20	
Smyth	No	10		
Southampton	No			
Spotsylvania	No	40	2.30	Model year and square footage
Stafford	No	40	3.30	
Surry	No	100	2.40	
Sussex	No	20		
Tazewell	No	100		20% depreciation allowed yearly
Warren	No	30	4.00	
Washington	No	10	6.90	
Westmoreland	yes	40	2.20	
Wise	No			Model & size
Wythe	No	10	4.50	
York	No		4.30	

Survey Indicating Tax Treatmentof Mobile Homes by Other States

STATE	HOW MOBILE HOMES TAXED	MOBILE HOME PARKS
Alabama	Real property - Local registration fee	No specific provision
Alaska	Personal property	
Arizona	Personal Property	
Arkansas	Real & personal property. See Appendix I	
California	Vehicle license only	No specific provision
Colorado	Real property	Real property
Connecticut	Real property	Real property
Delaware		
Florida	License tax unless permanently attached, then as real property	Real property
Georgia	If permanently attached and used as a residence, real property	Real property
Hawaii	Real property	None (?)
Idaho	Personal unless permanently affixed to land, then real property	Commercial property
Illinois	Personal property subject to a privilege tax.	licensed
Indiana	Real property if placed on real estate owned by mobile home owner or on permanent foundation.	
Iowa	Special semi-annual tax similar to personal property tax.	Real property
Kansas	Personal property	Real property
Kentucky	Personal unless permanently affixed to real estate.	Real property
Louisiana		
Maine	Real property	Real property
Maryland		

STATE	HOW MOBILE HOMES TAXED	MOBILE HOME PARKS
Massachusetts	Exempt from taxation but subject to license fees	Real estate License fee
Michigan		
Minnesota	Personal property unless permanently affixed to real estate; then as real property.	Real property
Mississippi	Personal property unless permanently attached to land; than real property.	
Missouri		
Montana	Personal property	Commercial property
Nebraska	Personal property unless permanently attached to real property.	Commercial property
Nevada	Personal property. Real property if permanently attached to real estate (Rare) (Also studying)	Real property
New Hampshire		
New Jersey		
New Mexico	Personal	Real Property
New York	Real property	Real property
North Carolina	Personal Property	Real Property
North Dakota	Special tax in bill of all other property taxes.	Real property
Ohio	License tax; excise tax; personal or real property. See appendix II	Local property tax Various state taxes, if applicable. See appendix II
Oklahoma	Real property if permanently affixed to land	Real property
Oregon	Real property if mobile and land is situated and owned by same person. Otherwise, personal property.	Real property
Pennsylvania	Real property	
Rhode Island		

	<u>HOW MOBILE HOMES TAXED</u>	MOBILE HOME PARKS
South Carolina		
South Dakota	Personal property unless permanently attached to land; then real property.	Real property
Tennessee	Real property	Industrial & Commercial property.
Texas		
Utah	Personal property (95%) Real Property (5%)	Real Property
Vermont	Real, unless part of owner's inventory.	
Washington	Excise tax, or if permanently affixed to land, real property.	
West Virginia	Personal property	Real property
Wisconsin	Monthly parking permit fee See appendix III	Licensed
Wyoming		

APPENDIX III

1. Trailers - Mobile Homes: Taxes:

<u>Towns</u>	<u>If taxed as personal property what procedures used in determining value of trailer?</u>	<u>What is tax policy toward household goods and furniture within mobile homes?</u>	<u>Under what conditions are mobile homes taxed as real estate?</u>
Abingdon	8% of 90% of purchase price (excluding finance charges)	Assessed as unit (except TV)	Where installation is permanent
Alberta	\$1 per \$100 value	\$1 per \$100	None
Altavista	No Tax	No Tax	No Tax
Appomattox	Assessment by Commissioner of Revenue	Not Taxed	None
Big Stone Gap	Assessment made by County	Not Taxed	None
Blackstone	25% of Assessed value Assessed by County	Not Taxed	None
Bluefield	Assessed by County	Not Taxed	None
Bridgewater	Assessed by County	Not Taxed	None
Cedar Bluff	N/A	N/A	N/A
Charlotte Court House	Assessed by County	Not Taxed	None
Chatham	Assessed by Commissioner of Revenue	Not Taxed	None
Cheriton		Not Taxed	
Christiansburg	Assessed by County	Not Taxed	None
Coeburn	No personal property tax	Not Taxed	None

Appendix III (con't)

C 9/4/74 gh

Colonial Beach	\$2.30 per \$100 Assessed by County	Not Taxed	None
Courtland	Assessed by County	Not Taxed	
Edinburg	Assessed by Commissioner of Revenue	Not Taxed	Land only
Farmville	None	Not Taxed	None
Glasgow	Assessed by County	Not Taxed	None
Gordonsville	\$2 per 100 chart used according to footage and Year	Not Taxed	None
Hamilton	Assessed by County	Not Taxed	None
Irvington	None	Not Taxed	None
Jarratt	\$1 per \$100 of Blue Book value		None
Keller	20% assessment value	Not Taxed	None
Kenbridge	15% of cost	Not Taxed	None
La Crosse	Assessed by County	Not Taxed	on permanent foundations
Lebanon	Assessed by County	Not Taxed	None
Leesburg	Assessed by Commissioner of Revenue	Not Taxed	None
Luray	Assessed at 1/6 actual value	Not Taxed	None
Manassas	Assessed value-40% of average. Retail price taken from MH book	Not Taxed	on permanent foundation

Appendix III (con't)

C 9/4/74 ch

Strasburg	Assessed by County	Not Taxed	None
Stuart	Market Value	Not Taxed	None
Tazewell	\$2.00 per \$100 of assessed value	Not Taxed	None
Urbanna	40% of assessed value	Not Taxed	porch is built
Vinton	Book Value	Not Taxed	wheels removed on permanent foundations
Wakefield	40% fair value	Not Taxed	None
Windsor	Assessed by County	N/A	N/A
Wise	\$25 per year	Not Taxed	None (Modular Homes Yes) (Double Trailer)
Woodstock	Percent of cost 31% 1st yr, reduced down to 10% at end of 10 years	Not Taxed	None

* Prepared by R. Scott Tyler, Field Consultant, Virginia Municipal League, June, 1971.

APPENDIX IV

8/12/74 ps

	Revenue Received From the Personal Property Taxation of Mobile Homes in 1973	Revenues Which Would Have Been Received if Mobile Homes Had Been Taxed as Real Property		
Alexandria				
Bedford	\$1,500.00 ¹	\$1,500.00 ¹		0
Bristol ²				
Buena Vista	5,655.14	3,229.70		- \$2,425.94
Charlottesville	280,000.00 ¹	125,999.94		- 154,000.06
Chesapeake	59,319.96 ²			
Clifton Forge	375.00	375.00		0
Colonial Heights	166.75	86.71		80.04
Covington ²	5,629.25			
Danville				
Emporia	1,325.00	883.20		491.80
Fairfax City	8,000 10,000 ¹	5,333.20	6,666.50	2,666.80 -3,333.50
Falls Church	0	0		0
Franklin	0	0		0
Fredericksburg	4,880.00	4,880.00		0
Galax	6,200.00	6,200.00		0
Hampton	22,080.15	8,280.00		- 13,800.15
Harrisonburg	0	0		0
Hopewell	4,437.28	3,688.13		749.15
Lexington		1,086.00		4,700.00
Lynchburg				
Martinsville	0	0		0
Newport News	135,280.00 ²			
Norfolk	1,500,000.00	759,375.00		- 740,625.00
Norton	6,719.00	1,372.50		5,347.00
Petersburg				
Portsmouth	10,400.00	4,387.50		6,012.50

Appendix IV (con't)

<u>CITIES</u>	Revenue Received From the Personal Property Taxation of Mobile Homes in 1973	Revenues Which Would Have Been Received If Mobile Homes Had Been Taxed as Real Property	<u>Impact</u>
Radford	4,000.00 ¹	3,199.98	800.02
Richmond	50,475.80	28,260.60	- 22,214.40
Roanoke	897.00 ¹	403.65	493.35
Salem	33,500.00	22,330.75	11,169.25
S. Boston	208.32	208.32	0
Staunton	741.88	338.40	403.48
Suffolk	3,260.00	2,021.20	- 1,238.50
Virginia Beach	50,000.00	22,856.00	-27,144.00
Waynesboro	7,397.50	5,545.00	- 1,852.50
Williamsburg	0	0	0
Winchester	7,200	5,400.00	- 1,800.00
 <u>COUNTIES</u>			
Accomack			
Albemarle	70,000.00 ¹	17,410.90	- 52,589.10
Alleghany			
Amelia	5,625.00 ¹	4,125.00	- 1,500.00
Amherst			
Appomattox	8,294.00		
Arlington	0	0	0
Augusta	48,325.90	28,438.60	- 19,880.30
Bath			
Bedford	3,200.00 ¹	3,200.00	0
Bland ²			
Botetourt	15,000.00 ¹		
Brunswick	24,283.35	24,283.35	0
Buchanan	50,000.00 ¹ & ³	50,000.00	0

Appendix IV (con't)

	Revenue Received From the Personal Property Taxation of Mobile Homes in 1973	Revenues Which Would Have Been Received If Mobile Homes Had Been Taxed as Real <u>Property</u>	<u>Impact</u>
Buckingham			
Campbell			
Caroline	38,551.00		
Carroll	36,000.00	36,000.00	0
Charles City	10,617.50	5,300.00	- 5,317.50
Charlotte	6,299.41	4,723.50	- 1,575.91
Chesterfield	129,685.00	68,971.90	- 60,713.10
Clarke	2,200.00	2,200.00	0
Craig	3,840.00	1,152.00	- 2,688.00
Culpeper	1,500.00 ²		
Cumberland	4,600.00	3,312.00	- 1,288.00
Dickenson	26,580.60	26,580.60	0
Dinwiddie			
Essex	17,000.00 ¹	7,965.69	- 9,034.31
Fairfax	250,000.00	166,666.62	-83,333.38
Fauquier	5,147.25	5,147.25	0
Floyd	9,150.00 ²		
Fluvanna	10,891.54	10,891.54	0
Franklin	24,339.82	15,817.50	- 8,522.32
Frederick	48,100.00	48,100.00	0
Giles	10,500.00 ^{to} 14,000.00 ¹	10,500.00 ^{to} 14,000.00 ¹	0
Gloucester			
Goochland			
Grayson	20,309.59	530.56	-19,779.03
Greene	10,450.00	8,550.00	- 1,900.00
Greensville	9,280.00		
Halifax	22,458.00	20,659.65	- 1,798.35
Hanover	44,062.84	17,623.30	-26,439.54

Appendix IV (con't)	Revenue Received From the Personal Property Taxation of Mobile Homes in 1973	Revenues Which Would Have Been Received If Mobile Homes Had Been Taxed as Real <u>Property</u>	<u>Impact</u>
Henrico	3,530.27		
Henry ²			
Highland	6,000.00 ¹	7,500.00	+ 1,500.00
Isle of Wight	45,000.00	6,750.00	- 38,250.00
James City	41,088.20	41,088.20	0
King George	8,064.00	5,329.85	- 2,734.15
King & Queen	7,159.60	7,159.60	0
King William	10,800.00	10,800.00	0
Lancaster			
Lee	13,000.00 ¹	16,353.00	+ 3,353.00
Loudoun			
Louisa	39,900.00 ¹	39,900.00	0
Lunenburg	12,000.00 ¹	12,800.00	+ 800.00
Madison	7,176.78	7,176.78	0
Matthews	7,630.12	9,247.50	+ 1,617.38
Mecklenburg	6,000.00 ¹	13,997.84	+ 7,997.84
Middlesex			
Montgomery	2,350.00 ¹	1,421.00	929.00
Nelson	9,390.00	3,520.00	- 5,870.00
New Kent	17,500.00	17,500.00	0
Northampton	7,200.00	10,800.00	+ 3,600.00
Northumberland	2,400.00	2,400.00	0
Nottoway	12,000.00 ¹	12,000.00 ¹	0
Orange	10,000.00 ^{1, 2}		
Page ²			
Patrick	18,000.00	18,000.00	0
Pittsylvania			
Powhatan	2,677.50	2,677.50	0
Prince Edward	8,660.65	6,493.20	- 2,167.45

Appendix IV (con't)

	Revenue Received From the Personal Property Taxation of Mobile Homes in 1973	Revenues Which Would Have Been Received if Mobile Homes Had Been Taxed As Real Property	<u>Impact</u>
Prince George	40,712.23	20,355.10	-20,357.13
Prince William	146,000.00 ¹	118,864.00	- 27,136.00
Pulaski			
Rappahannock	753.99	602.70	151.29
Richmond	8,544.55	7,323.00	- 1,221.55
Roanoke			
Rockbridge			
Rockingham	180,000.00 ¹	135,000.00	- 45,000.00
Russell	13,572.00	18,096.00	+ 4,524.00
Scott ²			
Shenandoah	23,284.80	14,553.00	- 8,731.80
Smyth	25,669.70	25,669.70	0
Southampton	11,000.00 ¹	7,920.00	- 3,080.00
Spotsylvania	186,957.57		
Stafford ⁴			
Surry	600.00		
Sussex ⁴			
Tazewell			
Warren			
Washington	50,000.00 ¹	50,000.00	0
Westmoreland	17,000.00	17,000.00	0
Wise			
Wythe	20,000.00	29,362.50	+ 9,362.50
York			

Appendix IV (con't)

FOOTNOTES

- 1 Approximate Figure
2. City/County taxes by square footage or square footage and year model.
- 3 1970 figures used in computations.
- 4 Revenue figures are not available but the real estate assessment ratio and rate are the same as the personal property assessment ratio and rate, and, therefore, there would be no change in revenue
- 5 Please note that the maximum assessment ratio has been used in all computations.
- 6 This information was compiled by the Division of Legislative Services from information received from Commissioners of the Revenue, Directors of Finance and other local officials in written and/or oral communication.

APPENDIX V

	Revenue Derived From 1973 Lot Tax
Alexandria	\$ 336
Bedford	2,520
Bristol	6,000
Buena Vista	3,550
Charlottesville	0
Chesapeake	70,500 ¹
Clifton Forge	0
Colonial Heights	0
Covington	
Danville	0
Emporia	0
Fairfax City	4,450 ¹
Falls Church	0
Franklin	0
Fredericksburg	0
Galax ²	
Hampton	31,100
Harrisonburg	0
Hopewell	7,560
Lexington	225 ¹
Lynchburg	0
Martinsville	0
Newport News	81,900
Norfolk ²	
Norton	1,125
Petersburg ²	
Portsmouth	
Radford	0

Appendix V (con't)

<u>CITIES</u>	Revenues Derived From 1973 Lot Tax
Richmond	0
Roanoke ²	
Salem	15,000
S. Boston	0
Staunton	0
Suffolk	\$21,050
Virginia Beach	
Waynesboro	2,350 ¹
Williamsburg	0
Winchester	1,625
<u>COUNTIES</u>	
Accomack	0
Albemarle	30,000 to 40,000 ¹
Alleghany	2,175
Amelia	0
Amherst ³	
Appomattox	572
Arlington	0
Augusta	34,000 ¹
Bath	300
Bedford	0
Bland	0
Botetourt	12,000 ¹
Brunswick	0
Buchanan	0
Buckingham	0

Revenues Derived From 1973 Lot Tax	
Campbell	26,256 ¹
Caroline	37,856
Carroll	0
Charles City	0
Charlotte	4,025
Chesterfield	109,350
Clarke	1,600
Craig	0
Culpeper	7,875
Cumberland	0
Dickenson	0
Dinwiddie	15,000
Essex	0
Fairfax	57,150 ¹
Fauquier	0
Floyd	0
Fluvanna	12,275 ¹
Franklin	0
Frederick	0
Giles	0
Gloucester	50,000 ¹
Goochland	8,825
Grayson	0
Greene	0
Greensville	0
Halifax	0
Hanover	34,800
Henrico	11,200
Henry	0

Appendix V (con't)

Revenues Derived From
1973 Lot Tax

Highland	0
Isle of Wight	5,500
James City	60,000
King George	14,000 ¹
King & Queen	2,120 ¹
King William	7,200
Lancaster	0
Lee	0
Loudoun	5,000
Louisa	21,250
Lunenburg	0
Madison	0
Mathews ²	
Mecklenburg	0
Middlesex	0
Montgomery	
Nelson	0
New Kent	0
Northampton	4,785
Northumberland	0
Nottoway	0
Orange	0
Page	0
Patrick	0
Pittsylvania	0
Powhatan	0
Prince Edward	1,180
Prince George	39,160
Prince William	51,330 ¹

Appendix V (con't)

Revenue Derived From 1973 Lot Tax	
Pulaski	
Rappahannock	0
Richmond	0
Roanoke ²	
Rockbridge	0
Rockingham	0
Russell	0
Scott	0
Shenandoah	0
Smyth	0
Southampton	0
Spotsylvania	12,800 ¹
Stafford	68,750
Surry	21,250
Sussex	0
Tazewell	0
Warren	0
Washington	0
Westmoreland	
Wise	0
Wythe	
York	

Appendix V (con't)

FOOTNOTES

- 1 Tax is per lot space
- 2 Percentage of Gross Receipts
- 3 Tax is on empty space only
- 4 These figures were derived by multiplying the tax times the number of mobile homes, not the actual number of spaces and each locality.

APPENDIX VI

PAGE NUMBER 1

TITLE TAX FIGURES AND CATEGORIES, RANCCP UPDATE

FISC

DATE 05/05/74

NEW VEHICLES

AC OF TRANSACTIONS

SELLING PRICE

SALES TAX PAID

ORIGINAL TITLE ISSUE

5646

\$ 17,769,311.44

\$ 399,386.70

TAX EXEMPT

V VIRGINIA-PRIC TO TAX -----

F OTHER STATES-PR TO TAX -----

P PUBLIC USE -----2-

S SAILER + SCLTER ACT -----

N RAN-HIGHWAY USE -----

G GIFT -----2-

C DEALERS TITLE ----32-

R REPOSSESSON -----1-

T TITLE CHANGE -----3-

J COURT ORDER -----

A AGRICULTURAL USE -----

L RAN-NEGOTIABLE TITLE -----7-

C CREDIT CUT OF STATE ----27-

U SPORT TERM LEASE -----

Z BYPASS CALC ----21-

1,605.50

32.12

27,935.05

558.46

TOTAL EX 95

TOTAL TRANSACTION 5741

APPENDIX VI (CON'T)

PAGE NUMBER 2

TITLE TAX FIGURES AND CATEGORIES, RANCM UPDATE

P18C

DATE 09/05/74

USED VEHICLES

ORIGINAL TITLE ISSUE

1905

\$ 3,648,890.07

\$ 72,977.84

TAX EXEMPT

V VIRGINIA-PRICR TC TAX --125-
 F OTHER STATES-PR TC TAX ---19-
 P PUBLIC USE ----1-
 S SAILOR + SOLDIER ACT -----
 N NON-HIGHWAY USE ----1-
 G GIFT ---35-
 C DEALERS TITLE ---20-
 R REPOSSESSION ----2-
 T TITLE CHANGE ---15-
 J CCURT CRDR -----
 A AGRICULTURAL USE -----
 L NON-NEGOTIABLE TITLE ---3-
 C CREDIT CUT-OF STATE ---446-
 U SHORT TERM LEASE -----
 Z BYPASS CALC ---154-

30,142.38

178.40

4,928.21

98.55

TOTAL EX

829

TOTAL TRANSACTION 2734

APPENDIX VI (CON'T)

PAGE NUMBER 3

TITLE TAX FIGURES AND CATEGORIES, RANDOM UPDATE

P18C

DATE 09/05/74

USED VEHICLES

TRANSFER TITLE ISSUE	7173	\$ 9,606,524.41	\$ 192,130.78
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TAX EXEMPT

V VIRGINIA-PRICR TC TAX ----19-

F OTHER STATES-PR TC TAX ----/

P PUBLIC USE ----1-

S SAILOR + SCLCIR ACT ----

N NCA-HIGHWAY USE ----1-

G GIFT --234-

D DEALERS TITLE ----34-

R REFCSSSSION ----83-

T TITLE CHANGE --186-

J CLRT CRDR ----

A AGRICULTURAL USE ----/

L NCA-NEGOTIABLE TITLE ----/

C CREDIT OUT-OF STATE ----3-

U SHORT TERM LEASE ----

Z BYPASS CALC ----23-

3,000.00

60.00

8,741.49

174.71

TOTAL EX 587

TOTAL TRANSACTION 776C

TOTAL ALL TRANSACTIONS
16235TOTAL SELLING PRICE
\$31,101,088.55TOTAL SALES TAX PAID
\$ 221,597.56

LEGISLATION

A BILL to amend and reenact §§ 58-685.11, 58-685.12, 58-685.23, 58-829.3 and 58-851, as severally amended, of the Code of Virginia and to repeal §§ 35-61, 35-62, 35-63, 35-64.1 through 35-64.6, 58-766.2, as severally amended, of the Code of Virginia, Chapter 329 of the 1950 Acts of Assembly, as incorporated by reference in the Code of Virginia by § 35-62.1, and Chapter 352 of the 1972 Acts of Assembly, as incorporated by reference in the Code of Virginia by § 58-829.4, the amended and repealed sections relating generally to taxation and other fees levied on mobile homes, mobile home parks or trailer camps.

Be it enacted by the General Assembly of Virginia:

1. That §§ 58-685.11, 58-685.12, 58-685.23, 58-829.3 and 58-851, as severally amended, of the Code of Virginia are amended and reenacted as follows:

§ 58-685.11. Definitions.—The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) “Commissioner” shall mean the Commissioner of the Division of Motor Vehicles of this State.

(2) “Division” shall mean the Division of Motor Vehicles of this State, acting through its duly authorized officers and agents.

(3) “Motor vehicle” shall mean every vehicle which is self-propelled or designed for self-propulsion and every vehicle drawn by or designed to be drawn by a motor vehicle, including mobile homes and every device in, upon and by which, any person or property is, or can be, transported or drawn upon a highway, but excepting devices moved by human or animal power, devices used exclusively upon stationary rails or tracks and vehicles other than mobile homes used in this State but not required to be licensed by the State.

(4) “Person” shall mean every natural person, firm, partnership, association or corporation.

(5) “Sale” shall mean any transfer of ownership or possession, or both, exchange, barter or lease, conditional or otherwise, in any manner or by any means whatsoever, of a motor vehicle, including a transaction whereby possession is transferred but title is retained by the seller as security, but excluding any transfer of ownership or possession, which transfer is made to secure payment of an obligation, or which is incidental to repossession under a lien and under which ownership is transferred to the reposessor, his nominee or a trustee, pending ultimate disposition or sale of the collateral, or any transfer in lieu of repossession or any transfer of any mobile housing when permanently attached to the real estate and included in the sale of the real estate and, excluding the transfer

of a motor vehicle from an individual or partnership to a corporation or from a corporation to an individual or partnership when such transfer is incidental to the formation, organization or dissolution of a corporation in which the individual or partnership has the majority interest.

(6) “Sale price” shall mean the total price paid for a motor vehicle and all attachments thereon and accessories thereto, without any allowance or deduction for trade-ins or unpaid liens or encumbrances, *unless otherwise provided in this Chapter*, but exclusive of any federal manufacturers’ excise tax.

(7) “Rental” shall mean the renting of a motor vehicle, whether or not a motor vehicle required to be licensed by the State, and the possession or use thereof by a person for a consideration, without transfer of the ownership of such motor vehicle, for a period less than twelve months. A person engaged in such business is referred to herein as a “rentor.”

(8) “Gross proceeds” shall mean the charges made or voluntary contributions received for the rental of a motor vehicle; provided, however, gross proceeds shall not include any amounts received under any rental or lease agreement for a period of twelve months or more.

(9) “Rental in this State” shall mean any rental where a person receives delivery of a motor vehicle within the Commonwealth and includes all land or interest in land within the Commonwealth owned by or conveyed to the United States of America.

§ 58-685.12. Levy.—There is hereby levied and imposed, in addition to all other taxes and fees of every kind now imposed by law, a tax upon the sale of every motor vehicle sold in this State, other than a sale to a person for rental as an established business or part of an established business or incidental or germane to such business, and upon the use in this State of any motor vehicle, other than use by a person for rental as an established business or part of an established business or incidental or germane to such business, and upon the rental in this State of every motor vehicle, whether or not required to be licensed by this State, other than a rental to a person for re-rental as an established business or part of an established business, or incidental or germane to such business, the same to be collected in the amount to be determined by the application of the following rate against the gross sales price or gross proceeds:

(a) Two percent of the sale price of each motor vehicle sold in this State ; *provided however, if such motor vehicle is a mobile home as defined in § 36-71(4), the tax shall be three percent of the sale price of each such mobile home sold in this State, exclusive of the value of any trade-in at the time of sale.*

(b) Two percent of the sale price of each motor vehicle , *or three percent of the sale price of each mobile home as defined in § 36-71(4), when the same is not sold in this State but is used or stored for use in this State; provided, when any such motor vehicle or mobile home, as defined in § 36-71(4), is first used or stored for use in this State six months or more*

after its acquisition, the tax shall be based on two percent or *three percent* of its current market value *respectively*.

(b1) Three percent of the gross proceeds from the rental in this State of any motor vehicle, whether or not required to be licensed by this State.

A transaction taxed under subsection (a) shall not also be taxed under subsection (b), nor shall the same transaction be taxed more than once under either section. A motor vehicle subject to the tax imposed under subsection (b1) shall be subject to the tax under either subsection (a) or (b) when it ceases to be used for rental as an established business or part of an established business, or incidental or germane to such business.

(c) The tax imposed by this chapter on motor vehicles having seats for more than seven passengers used by common carriers of passengers within and without the State, shall be apportioned on the ratio which the mileage operated in Virginia by such common carrier bears to the total number of miles operated within and without Virginia by such common carrier in the immediate preceding license year. The Commissioner may require such evidence of the total number of vehicles owned or operated by such common carrier and the miles traveled by all such motor vehicles as he deems appropriate for the application and administration of this chapter and other provisions of law.

§ 58-685.23. Disposition of revenues.—All funds collected hereunder by the Commissioner shall be forthwith paid into the State treasury and the revenue so derived, after deducting refunds, is hereby appropriated for the construction, reconstruction and maintenance of highways and the regulation of traffic thereon and for no other purpose ; *provided, however, that all funds collected pursuant to the provisions of this Chapter from mobile homes, as defined in § 36-71(4), shall be distributed to the city or county wherein such mobile home is to be situated as a dwelling.*

§ 58-829.3. Classification of certain vehicles used as mobile homes or offices as separate items of taxation.—All vehicles without motive power, used or designed to be used as mobile homes or offices or for other means of habitation by any person as defined in § 36-71(4), are hereby defined as separate items of taxation and shall constitute a classification for local taxation separate from other such classifications on tangible personal property provided in this chapter; provided, however, that the *ratio of assessment and the rate of tax shall not exceed be the same as that applicable to other classes of tangible personal real property.*

Notwithstanding any provision of this Title, any city or county, wherein a mobile home, as defined in § 36-71(4) is delivered or moved after January one and used as a place of full-time residence by any person, may quarterly prorate any property taxes which would have been collectable had such mobile home been situated within such city or county on January one of that year.

§ 58-851. Different rates of levy on different classes of property.—The governing body of any county, city or town in laying levies on all taxable real estate, tangible personal property and

merchants' capital may impose one rate of levy on real estate, another rate of levy on tangible personal property and another rate of levy on merchants' capital or it may impose the same rate of levy on any two or all of these subjects of taxation ; *provided, however, that the rate of levy on a mobile home as defined in § 36-71 shall be the same as the rate of levy on real estate.*

The governing body of any county, city or town may in its discretion classify farm machinery, farm tools, farm livestock, aircraft, riding horses and ponies owned and used for pleasure and not for commercial purposes, or tangible personal property used or employed in a research and development business separately from other tangible personal property and may fix the rate of levy thereon, but the rate shall not be higher than that imposed by it upon other tangible personal property in the county, city or town; nor shall such tangible personal property used or employed in a research and development business be taxed at a higher rate than the rate imposed on machinery and tools used in manufacturing and mining by such county, city or town.

The governing body of any county, city or town may in its discretion classify household items set forth in § 58-829 (9), (10), (11) and (12) separately from other tangible personal property and may fix the rate of levy thereon, but the rate shall not be higher than that imposed by such governing body upon other tangible personal property in such county, city or town.

2. That §§ 35-61, 35-62, 35-63, 35-64.1 through 35-64.6, 58-766.2, as severally amended, of the Code of Virginia, Chapter 329 of the 1950 Acts of Assembly, as incorporated by reference in the Code of Virginia by § 35-62.1, and Chapter 352 of the 1972 Acts of Assembly, as incorporated by reference in the Code of Virginia by § 58-829.4, are repealed.