

OCCUPANCY TAX QUESTIONS

When are Occupancy Taxes due?

Occupancy Tax Forms and Occupancy Taxes are due on or before the 20th day of the month following the month in which the tax accrues.

How much Occupancy Tax do I pay?

Room occupancy tax is four percent (4%) of the gross receipts derived from the rental of any room, lodging, or similar accommodation furnished by a hotel, motel, inn, tourist camp, or similar place within the county that is subject to sales tax imposed by the State under G.S. 105-164.4(3).

Is Occupancy Tax the same as Sales Tax?

No. This tax is in addition to any State or local sales tax.

Who is exempt from Occupancy Tax?

This tax does not apply to accommodations furnished by nonprofit charitable, educational, or religious organizations, when furnished in furtherance of their nonprofit purpose. This tax does not apply to any private residence or cottage that is rented for less than 15 days in a calendar year or to any room, lodging, or accommodation supplied to the same person for a period of 90 or more continuous days.

Is the information on my Occupancy Tax form available to the public?

Occupancy tax returns filed with the county Finance office are not public record as defined by G.S. 132-1 and may not be disclosed except as required by law.

When are Occupancy Taxes considered late?

After the 20th day of the month following the prior month in which the tax was collected. Postmarks are not honored.

What are the penalties for late payment?

In case of failure to file any return on the date it is due, a penalty equal to 5% of the amount of tax will be assessed if the failure is for not more than one month, with additional 5% for each additional month, or fraction thereof, during which the failure continues, not exceeding 25% in the aggregate, or \$5.00, whichever is greater. In addition, the case of failure to pay any tax when due, a penalty equal to 10% of the tax will be assessed, except the penalty shall in no event be less than \$5.00. G.S. 105-236

Legal action will be enforced on delinquent taxes that are not reported and paid.

Do I file an Occupancy Tax report if my occupancy sales are zero?

Yes. Any person who fails or refuses to file an occupancy tax report shall be subject to penalties for failure to pay and failure to file as stated above.

Where do I get the Occupancy Tax forms?

Forms are available on the county website, swaincountync.gov

I have recently purchased a cabin in Swain County, who do I call for questions regarding Occupancy Tax? Call the Swain County Finance Office at 828-488-9273.

How is Occupancy Tax used? After occupancy taxes are collected by the county, 97% is forwarded to the Swain County Tourist Development Authority (3% is kept for county administrative fees). The TDA's primary focus is promoting tourism in the area.