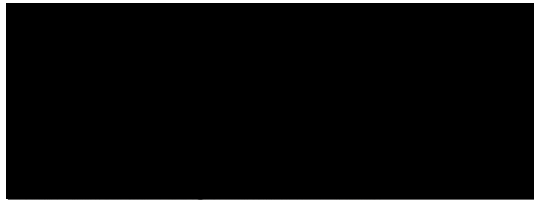




November 20, 2012



City of Chicago
Rahm Emanuel, Mayor

Department of Law

Stephen R. Patton
Corporation Counsel

Revenue Litigation Division
30 North LaSalle Street
Suite 1020
Chicago, Illinois 60602-2580
(312) 744-5691
(312) 744-6798 (FAX)
<http://www.cityofchicago.org>

Re: Request for Tax Ruling
Personal Property Lease Transaction Tax
[Redacted]



I am writing in response to your letter of August 13, 2012 (copy attached). Based on the facts set forth in your letter, we agree that [Redacted] while serving in a role solely as a service provider to a lessor of personal property in billing customers for lease payments, will not be deemed a lessor of personal property and will not be required, by the City, to collect the City's personal property lease transaction tax, Chicago Municipal Code ("Code") chapter 3-32. However, please note that Code Section 3-4-280 provides that "[a]ny tax required to be collected by any tax collector pursuant to any tax ordinance and any tax in fact collected by a tax collector shall be collected in trust for the city and shall constitute a debt owed by the tax collector to the city." (emphasis added). In addition, Code Section 3-4-020 defines a tax collector as "any person required to collect and remit any tax and any person who collects a tax, whether or not required to do so." (emphasis added). Therefore, the failure to remit taxes collected could subject [Redacted] to liability for the tax, along with interest and penalties.

This is a Private Letter Ruling issued pursuant to Uniform Revenue Procedures Ruling #3. Please let us know if you have any questions.

Very truly yours,

Weston Hanscom
Deputy Corporation Counsel
Revenue Litigation Division
Department of Law
312-744-9077

cc: Mike Luzzi, Rommel Pitchan, Department of Finance
Kim Cook, Department of Law



RECEIVED
CORPORATION COUNSEL
LARRY DILLON CHICAGO
2012 AUG 15 AM 11:31

BY [REDACTED]

[REDACTED]

[REDACTED]

August 13, 2012

VIA EMAIL (Weston.Hanscom@cityofchicago.org] & U.S. MAIL

Weston Hanscom
Deputy Corporation Counsel
Revenue Litigation Division
Chicago Department of Law
30 N. LaSalle Street, Suite 1020
Chicago, IL 60602

Re: Request for Tax Ruling
Personal Property Lease Transaction Tax Ruling
[REDACTED]

Dear Wes:

[REDACTED]

[REDACTED] has been asked by a lessor of personal property to provide billing services to that lessor whereby [REDACTED] would bill the lessor's customers for the lease payments due under the terms of various personal property leases. [REDACTED] would not be the lessor and would have no economic interest in the leased property, the lease or in the collections other than the service fee it would be paid for performing the billing and collection of the lease payments.

The contract between [REDACTED] and the lessor would require the lessor to include the Chicago Personal Property Lease Transaction Tax if applicable in the amount billed and require the lessor to file the appropriate tax returns and remit the tax collected to the City of Chicago.

[REDACTED] requests a ruling that while serving in a role solely as a service provider to a lessor of personal property in billing customers for lease payments, the collection of such lease payments will not cause [REDACTED] to be deemed a lessor of Personal Property and will not subject [REDACTED] to potential tax liability

August 13, 2012

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under the provisions of the Chicago Personal Property Lease Transaction Tax ordinance.

If you require any additional information, please contact me.

Very truly yours,



Pursuant to Internal Revenue Service guidance, be advised that any federal tax advice contained in this written or electronic communication, including any attachments or enclosures, is not intended or written to be used and it cannot be used by any person or entity for the purpose of (i) avoiding any tax penalties that may be imposed by the Internal Revenue Service or any other U.S. Federal taxing authority or agency or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.



City of Chicago
Department of Finance

Power of Attorney and
Declaration of Representative

PART I. - Power of Attorney

Taxpayer(s) name, identifying number, and address including ZIP code (Please type or print)

hereby appoints [name(s), address(es), including ZIP code(s), and telephone number(s) of individual(s)]*

as attorney(s)-in-fact to represent the taxpayer(s) before any office of the Chicago Department of Finance for the following tax matter(s). Specify the type(s) of tax and year(s) or period(s).

Table with 2 columns: Type of Tax, Year(s) or Period(s). Row 1: Personal Property Lease Transaction, 2012

The attorney(s)-in-fact (or either of them) are authorized, subject to revocation, to receive confidential information and to perform any and all acts that the principal(s) can perform with respect to the above specified tax matters (excluding the power to receive refund checks, and the power to sign the return, unless specifically granted below).

Send copies of notices and other written communications addressed to the taxpayer(s) in proceedings involving the above tax matters to:

- 1 [X] the appointee first named above, or
2 [] (names of not more than two of the above named appointees)

Initial here [] if you are granting the power to receive, but not to endorse or cash, refund checks for the above tax matters to:

- 3 [] the appointee first named above, or
4 [] (name of one of the above designated appointees)

This power of attorney revokes all earlier powers of attorney and tax information authorizations on file with the Department of Finance for the same tax matters and years or periods covered by this power of attorney, except for the following:

(Specify to whom granted, date, and address including ZIP code, or refer to attached copies of earlier powers and authorizations.)

Signature of or for taxpayers(s)

(If signed by a corporate officer, partner, or fiduciary on behalf of the taxpayer, I certify that I have the authority to execute this power of attorney on behalf of the taxpayer.)



[Redacted Signature] COO 8/3/12
(Signature) (Title, if applicable) (Date)

(Also type or print your name below if signing for a taxpayer who is not an individual.)

(Signature) (Title, if applicable) (Date)

*You must authorize an organization, firm, or partnership to receive confidential information, but your representative must be an individual who must complete part II

