



STATE BOARD OF EQUALIZATION

March 18, 1953

G--- M--- Company  
XXXX --- Boulevard  
--- ---, California

-- XXXXXX

Attention: Mr. R--- J. R---, Jr.  
Business Manager

Gentlemen:

This is in answer to your letter of March 11 concerning the liability of a yacht broker for sales tax in connection with the sale of yacht owned by another who gives the broker either an exclusive or an open listing.

The liability of the yacht broker does not depend upon whether he holds an exclusive or an open listing. It depends rather upon whether he has the right to beneficial use of the boat or the power by his own act to vest ownership in another.

The matter has been the subject of an opinion of the Attorney General and a recent letter from his office concerning the scope of the opinion. Copies of the opinion and letter are enclosed.

Very truly yours,

See now, in addition, subdivisions  
(b) & (c) of §6202.  
DHL 12/8/97

E. H. Stetson  
Tax Counsel

EHS:ph

cc: Los Angeles – Tax Administrator

cc: Mr. K--- E. M---  
Y--- and S--- B--- Commissioner  
XXX --- Building  
--- ---, California