



SELF STORAGE SALES NETWORK

# Market Monitor

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## New Jersey Carries the Water on Sales Taxes

By Michael L. McCune

As you may remember, I have been very adamant about local associations becoming involved in the battle against sales taxes on self storage. The state of New Jersey has now levied a 7% state sales tax that includes self storage facilities. The New Jersey Self Storage Association has filed for a temporary restraining order in Federal Court to halt the tax. Please see their press release at [www.selfstorage.com/argus/njssa.pdf](http://www.selfstorage.com/argus/njssa.pdf). In the meantime, get your state associations moving on this and let your legislators know that you will take the same action against sales tax. As you can see by my comments, this can be a very costly affair.

### The Obvious Impacts, Very Costly

The most obvious impact of a sales tax on self storage is that, despite what anyone says, the price of the product just went up by 7%. The good news, if there is any, is that at least your competitors are equally affected. However, that is as close to good news as we are going to get in this little missive on sales taxes. The first negative impact is that the value of the facility just went down by the amount of sales tax that you can’t pass along without reducing your rental rates or occupancy. Let us take a look at an example and see what this law could do the value of a property. For the sake of argument (and economists tell us this is the right assumption in the long run), because our market is competitive, we cannot pass along any of the sales tax.

	Before Tax	After Tax
Revenues	\$300,000	\$279,000
Operating Expenses	\$100,000	\$100,000
Net Operating Income	\$200,000	\$179,000
VALUE @ 8% Cap Rate	\$2,500,000	\$2,237,500
Value Reduction	\$262,500 or 10.5%	

This is truly an impressive number, and it exceeds our intuitive notion by 50%. It is clear that higher prices (and that is what sales taxes are) also reduce the total demand in the market. If the demand had been there at the higher prices, you would have already raised your rates! It is hard to measure this impact – economists call it

measuring the slope of the demand curve – but it wouldn’t surprise me that it is almost 1% of lost demand for each 1% of price increase. To put this in perspective, think of it this way: how many customers would you have if you doubled your rates? That is the same ratio I suggest. Thus, in competitive markets the total occupancies could be reduced as well as having the revenue per unit reduced!

### The Less Obvious, More Costly

The reason that Connecticut and other states such as Arkansas and Maine enact sales tax laws is two fold. First, the state needs the money (states and cities always need money). Second, the politicians know there aren’t many self storage owners in the state (and many are from out of state) and that they won’t face a revolt at the polls. If they try it on

apartments, armies of both landlords and tenants would be screaming at their elected representatives. Other real estate landlords are also better campaign contributors than self storage owners and thus may not suffer as much. Unfortunately, besides being in fiscal trouble, the states also talk amongst each other and will probably find that other states' success in instituting a sales tax on self storage would be attractive to them.

### **The Really Big Reason to Fight Sales Taxes**

Although the direct economic consequences are severe enough, there is a more draconian impact and that is on the attitude of planning commissions and city councils. In the past, we have thought that planners and cities were reluctant to approve new self storage facilities just because they were ugly. However, my experience and that of my private sector planning friends would indicate that there has been an unspoken bias against self storage because it doesn't pay sales tax. The bias is always unspoken because to consider sales tax revenue is either politically incorrect and, in some cases, against the law. Combine the need for revenue by local governments and the fact that self storage would pay a sales tax and you will find that this might cause a lot more sites to be deemed appropriate for that use. Clearly, this could have an impact on potential over-building in many markets that have long been considered politically off limits. I recently heard a story where a developer's project was considered not appropriate by city planners and he "resolved" the city's reluctance by agreeing to pay a "use fee for infrastructure" in an amount of 5% of gross revenue (sales tax by another name). Apparently, aesthetics became less important after the planners "understood the project better." This unintended consequence may well be the most significant to many owners.

In summary, it is time to gather the force and fight sales taxes. Both the National SSA and the State Associations should spare no efforts in this battle.

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