

Internal Revenue Service

Department of the Treasury

District
Director

P.O. Box 1680, GPO Brooklyn, N.Y. 11202

Date: MAY 21 1984

Person to Contact:

Contact Telephone:

Refer Reply to:

CERTIFIED MAIL

Dear Applicant:

We have completed consideration of your application for recognition of exemption from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

The information submitted disclosed that you were organized [redacted] for the purpose of carrying on any business or effecting any object not repugnant to the laws of the state of [redacted]. Your activities consist of owning and maintaining a hunting camp used only by member/stockholders.

Section 501(c)(3) provides, in part, for the exemption of organizations organized and operated exclusively for charitable or educational purposes.

Section 1.501(c)(3)-1(a) of the Income Tax Regulations provides that in order to be exempt as organization described in section 501(c)(3), the organization must be one that is both organized and operated exclusively for one or more of the purposes specified in that section. An organization that fails to meet either the organizational or the operational test is not exempt.

Revenue Ruling 69-175 states that an organization formed by parents of pupils attending a private school, that provides school bus transportation for its members' children serves a private rather than a public interest and thus does not qualify for exemption under section 501(c)(3).

The information available demonstrates that, like the organization described in Revenue Ruling 69-175, you provide services for a private interest rather than a public interest. Further, the provision in your Certificate of Incorporation of "...carrying on any business..." does not limit your purposes to those described in section 501(c)(3). Your purposes and activities are thus broader than those described in section 501(c)(3).

(2)

Accordingly, we conclude that you are neither organized nor operated exclusively for purposes described in section 501(c)(3). Therefore, you are not exempt from Federal income tax under that section. You are required to file Federal income tax returns on Form 1120. Contributions to you are not deductible under section 170 of the Code.

If you do not agree with this determination you may protest in accordance with the enclosed instructions within 30 days.

If we do not hear from you within that time this determination will be considered final and the appropriate State Officials will be notified.

If you do not protest this proposed determination in a timely manner, it will be considered by the Internal Revenue Service as a failure to exhaust available administrative remedies. Section 7428(b)(2) of the Internal Revenue Code provides in part that "A declaratory judgment or decree under this section shall not be issued in any proceeding unless the Tax Court, the Claims Court, or the district court of the United States for the District of Columbia determines that the organization involved has exhausted administrative remedies available to it within the Internal Revenue Service."

Sincerely yours,

PS/ [REDACTED]

District Director

cc: [REDACTED]

Enclosure: Publication 892