

Atlanta, Georgia 30043

OCT 6 1984

Dear Applicant:

We have considered your application for exemption from Federal income tax as an organization described in Section 501(c)(4) of the Internal Revenue Code.

The information submitted indicates that you were formally organized on [redacted] with the adoption of a set of By-laws. Section 1, paragraph (1) of your By-laws states that your purpose is "to provide funds for the Association to secure legal advice...to ensure that [redacted] conduct the land-lord-tenant relationship in accordance with the lease agreements...."

Your activities consist of an annual membership meeting where you discuss matters concerning your members and the management of the mobile park, and the collection of membership dues. The dues are used to cover administrative and legal expenses. Legal expenses are incurred only when such advice is needed.

Section 501(c) of the Internal Revenue Code of 1954 describes certain organizations exempt from Federal income tax under Section 501(a) and reads, in part, as follows:

"(4) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes."

Section 1.501(c)(4)-1 of the Income Tax Regulations provides, in part, as follows:

"(a)(2)(i) An organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting in some way the common good and general welfare of the people of the community. An organization embraced within this section is one which is operated primarily for the purpose of bringing about civic betterment and social improvements."

Code	Initiator	Reviewer	Reviewer	Reviewer	Reviewer	Reviewer	Reviewer
Surname							
Date							



Revenue Ruling 73-306, 1973-2 O.B., 179 denied exemption under Section 501(c)(1) of the Code to an organization formed to represent members-tenants of an apartment complex in negotiations with land-lords, in litigation, and before local and Federal regulatory agencies with respect to matters of mutual concern to the tenants. It was concluded that the organization was operated for the private benefit of its members and not for the common good and general welfare of the people of the community.

Based on the information submitted, you are operated in a manner similar to the organization described in Revenue Ruling 73-306. You are formed to promote the common interest of your members and they are the only ones to benefit from your activities. You are not organized and operated to promote the common good and general welfare of the people of your community. Therefore, you do not qualify for exemption under Section 501(c)(1) of the Code. We considered your application under related paragraphs under Code Section 501(c) and you do not qualify for either of them.

In a telephone conversation with your president, [redacted], on [redacted], we informed him that your application would not be recommended for approval. [redacted] did not agree with our findings and stated that this was a community benefited from your activities. There was no indication as to whether our determination would be appealed.

An organization which has not established its exempt status is required to file Federal income tax returns.

If you do not agree with our proposed determination (proposed refusal to rule), we recommend that you request a conference with a member of the Regional Director of Appeals Staff. Your request for a conference should include a written appeal signed by an authorized officer giving the facts, law, and any other pertinent information to support your position as explained in the enclosed Publication 892. If you are to be represented by someone who is not one of your authorized officers, he/she will need to file a power of attorney or tax information authorization and be qualified to practice before the Internal Revenue Service as provided in Treasury Department Circular No. 230. The conference may be held at the Regional Office or, if your request, at any mutually convenient District Office.

If we do not hear from you within 30 days, this letter will become our final determination.

Sincerely yours,

[redacted signature]  
District Director

Initiator	Reviewer	Reviewer	Reviewer	Reviewer	Reviewer	Reviewer