

[Redacted]

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0 1 JUL 1983

EIN: [Redacted]

Gentlemen:

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

The data you submitted shows you were incorporated [Redacted], under the [Redacted] Non-Profit Corporation Act.

Your purposes as stated in the Articles of Incorporation are:

- (a) To organize and operate an association to provide for the acquisition, construction, management, maintenance and care of association property, as that term is defined in Section 528 of the Internal Revenue Code of 1954. No part of the net earnings of the association is to inure to the benefit of any shareholder or individual.
- (b) To acquire and own and to provide for the maintenance and management of certain open spaces and other common elements and limited common elements and community facilities located within the unit ownership estate known as [Redacted], in [Redacted], and to provide maintenance services for the residential properties located therein, all in accordance with the recorded Declaration of Covenants, Conditions, and Restrictions.

Your purposes as stated in the Form 1023, "Application for Exemption Under Section 501(c)(3)," is as follows:

- (1) To provide for the maintenance, repair and upkeep of the common elements of the condominium project.

Common elements, as defined in the Declaration of Conditions, Covenants, and Restrictions, means all portions of the condominium other than the units.

Code	Initiator	Reviewer	Reviewer	Reviewer	Reviewer	Reviewer	Reviewer
		[Redacted]					
Surname		[Redacted]					
Date		7-1-83					

[REDACTED]

On the basis of the information submitted we conclude you are not charitable, educational, or religious. You are operating a condominium housing project in a manner like the one described in Revenue ruling 74-17, providing maintenance, management, and care of the common elements.

Section 528 of the Internal Revenue Code provides that certain homeowner's associations may elect to file Form 1120-H which, in effect, permits the exclusion of exempt function income from gross income. This election must be made timely and must be made each year.

If you do not agree with these conclusions, you may, within 30 days from the date of this letter, file in duplicate a brief of the facts, law, and argument that clearly sets forth your position. If you desire an oral discussion of the issue, please indicate this in your protest. The enclosed Publication 892 gives instructions for filing a protest.

If you do not file a protest with this office within 30 days of the date of this report or letter, this proposed determination will become final.

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 Court of Claims, 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."

If you agree with these conclusions or do not wish to file a written protest, please sign and return Form 6018 in the enclosed self-addressed envelope as soon as possible. You should also file the enclosed Federal income tax return(s) within 30 days with the Chief, Employee Plan/Exempt Organization Division 1100 Commerce, Dallas, Texas 75242.

If you have any further questions, please contact the person whose name and telephone number are shown at the beginning of this letter.

Sincerely yours,

[REDACTED]
District Director

Enclosures
Publication 892
Form 6018
Form 1120-H