



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

OFFICE OF THE CHIEF COUNSEL

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Dear \_\_\_\_\_ :

This letter responds to your letter dated November 1, 2009, to President Barack Obama about your eligibility for the long-term homeowner credit.

Section 36(c)(6) of the Internal Revenue Code provides a refundable credit for certain individuals who bought a new principal residence and who owned a principal residence in the recent past. These long-term homeowners generally qualify for the credit if, on the purchase date of the new home, the individual (and, if married, the individual's spouse) has owned and used the same principal residence for a consecutive five-year period in the eight years preceding purchase of the new home. The long-term homeowner credit is available for residences purchased after November 6, 2009.

Your letter indicates that you purchased your new home prior to November 7, 2009. Accordingly, you may not claim the long-term homeowner credit. The statute provides no administrative exceptions. The Internal Revenue Service has no authority to modify the statutory requirements.

I hope this information is helpful. If you have any additional questions, please contact \_\_\_\_\_ or \_\_\_\_\_ at \_\_\_\_\_.

Sincerely,

William A. Jackson  
Chief, Branch 5  
Office of Associate Chief Counsel  
(Income Tax & Accounting)