



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

OFFICE OF THE CHIEF COUNSEL

May 27, 2010

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CONEX-120470-10

UIL: 36.00-00

The Honorable David Loeb sack
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Loeb sack:

This letter responds to your letter of April 22, 2010, on behalf of your constituents,
and . They wrote about not qualifying for the long-term
homeowner credit.

As you requested, I responded to directly. Enclosed, please find a copy of
my letter to them.

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

Sincerely,

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

Enclosure



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Dear _____ :

This letter responds to your letter to Congressman David Loebsack inquiring about your eligibility for the long-term homeowner credit. Congressman Loebsack's office asked that we respond to you directly.

The law provides a refundable credit for certain individuals who bought a new principal residence and who owned a principal residence in the recent past (section 36(c)(6) of the Internal Revenue Code). 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.

You wrote that you had purchased your new home on November 6, 2009. Accordingly, you do not qualify for the long-term homeowner credit. The statute provides no administrative exceptions. We have no authority to modify the statutory effective date.

I am sorry that my response is not more favorable. If you have any questions, please contact _____, Identification Number _____, at _____.

Sincerely,

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

cc: The Honorable David Loebsack