

Private Letter Ruling 9035015, IRC Section 42

Date: May 30, 1990

Dear \*\*\*

This is in response to your letter dated January 23, 1990, in which you requested, as Taxpayer's authorized representative, that, pursuant to section 7805(b) of the Internal Revenue Code, the revocation of the private letter ruling dated October 11, 1989 (the "Ruling"), not be applied retroactively to the sale of a limited partnership interest by Taxpayer to Corp X. The Ruling was revoked in a letter dated December 18, 1989. In the Ruling, we concluded that Taxpayer's \*\*\* low-income condominium units were not "federally subsidized" within the meaning of section 42(i)(2)(A) of the Code.

Taxpayer has established an adequate basis for obtaining the equitable relief provided by section 7805(b) of the Code. Therefore, based on the representations made by Taxpayer, relief is hereby granted under section 7805(b) so that revocation of the Ruling will be prospective from the date of the revocation of the letter.

No opinion is expressed or implied as to the federal income tax treatment under other provisions of the Code and regulations, or regarding the tax treatment of any conditions existing at the time of, or effects resulting from, any other arrangement not specifically covered by the Ruling.

This ruling is directed only to the taxpayer who requested it. Section 6110(j)(3) of the Code provides that it may not be used or cited as precedent.

A copy of this letter should be attached, along with the Ruling and revocation letter dated December 18, 1989, to the federal income tax return of Taxpayer for the taxable year that begins the 10-year credit period. In accordance with the power of attorney on file, we are sending you this letter as Taxpayer's authorized representative.

Sincerely yours,

Susan Reaman

Assistant to the Chief, Branch 5

Office of the Assistant Chief Counsel

(Passthroughs and Special Industries)