100 Precedential Authority of Citations

100.1 In the research of taxation issues involving common interest realty associations, tax practitioners are often faced with the question of how much reliance may be placed on a specific authority. Questions occur more frequently when researching common interest realty association tax issues than in many other areas of taxation simply because common interest realty association taxation has not been extensively codified into the Internal Revenue Code (IRC). Practitioners must, therefore, often rely on less authoritative sources to aid them in resolving tax questions involving common interest realty associations. The table in Appendix 1A is the authors’ interpretation of the level of authority carried by various research sources.

100.2 This Guide accumulates and cross-references the multitude of tax citations issued over the years that specifically address common interest realty associations and the unique tax issues they face. The information is organized as follows:

- Chapter 2—Internal Revenue Code

- Chapter 3—Congressional Committee Reports

- Chapter 4—Court Cases and Tax Court Memoranda

- Chapter 5—Treasury Regulations

- Chapter 6—Revenue Rulings

- Chapter 7—Private Letter Rulings
Chapter 8—General Counsel Memoranda

Chapter 9—Revenue Procedures

Chapter 10—Other Rulings (Technical Advice Memoranda, Actions on Decision, Treasury Decisions, Announcements, Field Service Advice Memoranda, IRS Information Letters, a Chief Counsel Advice, and an IRS Notice)

100.3 Additional information included in this Guide further explains organization of the tax code itself. Chapter 2 discusses how the Internal Revenue Code of 1986 is divided into chapters and sections, focusing on the first 10 chapters of the IRC, which cover income taxes.

100.4 Chapter 5 provides useful information concerning the organization of Treasury Regulations, explaining the two types of treasury regulations and the three-part numbering system used to organize the regulations. Being familiar with the organization of the Internal Revenue Code allows practitioners to more easily perform tax research.

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