

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4702

To amend the Internal Revenue Code of 1986 to allow builders to compute on the installment sales method income from the sale of certain residential real property, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1994

Mr. GOODLING (for himself, Mr. DOOLITTLE, Mr. FISH, Mr. MURPHY, Mr. ROHRABACHER, Mr. UNDERWOOD, and Mr. PAYNE of Virginia) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow builders to compute on the installment sales method income from the sale of certain residential real property, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “First-Time Home-  
5       buyers Assistance Act”.

1 **SEC. 2. APPLICABILITY OF INSTALLMENT METHOD OF AC-**  
2 **COUNTING TO SALES OF RESIDENTIAL REAL**  
3 **PROPERTY BY BUILDERS.**

4 (a) IN GENERAL.—Paragraph (2) of section 453(l)  
5 of the Internal Revenue Code of 1986 (relating to excep-  
6 tions to dealer dispositions) is amended by redesignating  
7 subparagraph (C) as subparagraph (D) and by inserting  
8 after subparagraph (B) the following new subparagraph:

9 “(C) CERTAIN RESIDENCES.—The disposi-  
10 tion on the installment plan of any newly con-  
11 structed 1-family residential real property in  
12 the ordinary course of the taxpayer’s business  
13 if—

14 “(i) the acquisition cost (as defined in  
15 section 143(k)(3)) does not exceed 75 per-  
16 cent of the median purchase price for  
17 newly constructed 1-family residential real  
18 property for the statistical area (as defined  
19 in section 143(k)(2)) in which the property  
20 is located (95 percent in the case of a  
21 property in a targeted area within the  
22 meaning of section 143(j)),

23 “(ii) the face amount of any obliga-  
24 tion held by the taxpayer and arising from  
25 the disposition does not exceed 20 percent  
26 of such acquisition cost,

1           “(iii) the purchaser of the property is  
2           financially qualified to assume 100 percent  
3           of the obligations arising from the dispo-  
4           sition (without regard to whether such obli-  
5           gations are held by the taxpayer),

6           “(iv) the property is to be used by  
7           such purchaser as a principal residence  
8           (within the meaning of section 1034), and

9           “(v) such purchaser had no present  
10          ownership interest in such a principal resi-  
11          dence during the 3-year period ending on  
12          the date of acquisition of the property.”

13          (b) EFFECT OF PLEDGE OF INSTALLMENT OBLIGA-  
14          TION.—Paragraph (1) of section 453A(d) of such Code  
15          (relating to pledges, etc., of installment obligations) is  
16          amended by inserting after “this section applies” the fol-  
17          lowing: “(or any installment obligation arising from a dis-  
18          position described in section 453(l)(2)(C))”.

19          (c) EFFECTIVE DATE.—The amendments made by  
20          this section shall apply to sales after the date of the enact-  
21          ment of this Act.

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