

802.2

Verne, B. Michael

From: [REDACTED]
Sent: Tuesday, November 01, 2005 7:17 PM
To: Verne, B. Michael
Subject: 802.2(h): Retail Rental Space Question

Hi Mike. Hope things are going well. Quick question regarding the definition of "retail rental space" under 802.2(h): Is "retail rental space" limited to "rental" property? Or can the exemption apply where the retail property (and not the underlying business) is being sold to another retailer who will use it for their own business (i.e. no third party rental anticipated)? Thanks. [REDACTED]

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NO - MUST BE RENTAL PROPERTY.
B. Michael
11/2/05