* IRS Awareness. Per Bloomberg BNA Daily Tax Report® dated 02/02/2016 – The IRS has “no specific focus” on intermediary installment sale transactions. John B. Lovelace, attorney for Branch 5 of the IRS Office of Chief Counsel's Income Tax & Accounting Division stated “There has been no specific focus. Notwithstanding the number of websites that have exploded in recent years, it's not a new issue… [i]t's been around for at least 40 years, and so there's no special effort to look into these.” 01/30/2016 interview the American Bar Association Section of Taxation, midyear conference in Los Angeles.
* Statute Specificity. IRC 453 prohibits tax deferral if a seller sells an asset to a related party and that related party resells it within two years. We are not related to the seller and therefore can immediately resell it consistent with the statute. Otherwise, unrelated sellers would be precluded from resales just as related buyers are.