



OFFICE OF  
CHIEF COUNSEL

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

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Dear :

I am responding to your letter to the Associate Chief Counsel (Income Tax & Accounting), dated June 3, 2025. In your letter you request a private letter ruling allowing you an extension of the 180-day replacement period for a deferred like-kind exchange under § 1031 of the Internal Revenue Code (the Code).

Section 1031(a) of the Code provides that no gain or loss is recognized on the exchange of real property held for productive use in a trade or business or for investment if the property is exchanged solely for property of like kind that is to be held either for productive use in a trade or business or for investment.

Section 1031(a)(3) of the Code allows taxpayers to structure deferred like-kind exchanges. However, under § 1031(a)(3), to meet the requirements of section 1031 relating to a deferred exchange, a taxpayer must acquire property (replacement property) before the earlier of (i) 180 days after the taxpayer transfers property in the exchange (relinquished property), or (ii) the due date (determined with regard to extensions) for the taxpayer's federal income tax return for the taxable year in which the transfer of the relinquished property occurs. Thus, the 180-day deadline to acquire replacement property is set by statute.

The Internal Revenue Service (IRS) has limited authority to extend deadlines set by statute. Section 7508A of the Code allows the IRS to extend statutory deadlines for taxpayers affected by a federally declared disaster (as defined by § 165(i)(5)(A)), a significant fire, or terroristic or military actions. Aside from one of those events, however, the IRS does not have the authority to extend the 180-day replacement period in § 1031(a)(3).

Thank you for your interest in this matter. If we can assist you further, please call  
or me at

Sincerely,

Stephen J. Toomey  
Senior Counsel  
Office of Associate Chief Counsel  
(Income Tax & Accounting)