

In The News

IRS Notice on Conservation Easements Creates New Challenges

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Akerman tax partner Robert Wall shared his thoughts with Bloomberg on recent guidance provided by the IRS on the extremely technical matter of safe harbor deed language for conservation easements. The IRS notice comes on the heels of conflicting decisions from appeals courts and mirrors controversial Department of Treasury regulation. The conflicting stances are particularly challenging for landowners in Florida, Georgia, and Alabama.

Wall told Bloomberg that what is needed is the kind of uniform legal interpretation that only the U.S. Supreme Court can provide, but he doubts the high court will take up such a technical tax matter any time soon. Until then, Wall expects the IRS will lean on the notice to fight any legal challenges.

“This notice is part of an ongoing chess match,” he told the publication.

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