

802.1

[REDACTED]

[REDACTED]

October 18, 1988

Richard Smith, Esq.  
Federal Trade Commission  
Premerger Division  
Room, 303  
7th and Pennsylvania North  
Washington D.C., 20580

This material may be subject to  
the confidentiality provision of  
Section 7A (b) of the Clayton Act  
which restricts release under the  
Freedom of Information Act

RECEIVED  
OCT 21 11 33 AM '88  
PRE-MERGER  
NOTIFICATION  
OFFICE

Re: Premerger Notification Requirements Under the Hart-Scott  
Rodino Act

Dear Mr. Smith:

*re: [unclear] of the*

I spoke with you today on the phone regarding the Commission's reporting and notification requirements as they may apply to the acquisition of apartment buildings [REDACTED]. You advised me that it is the Federal Trade Commission's policy not to require the premerger notification because the Commission believes apartments and office complexes come within one of the exemptions to the reporting requirements of the Act. You further advised that so long as the apartment or office complex did not have a related retail activity which could be valued in excess of \$15,000,000, the office or apartment complex acquisition would fall within the exemption. The apartment complex acquisition my client anticipates has no associated retail activity.

If I have not correctly stated the Federal Trade Commission's current policy with respect to reporting requirements for the acquisition of apartment and office buildings, please call or write me so that we may appropriately respond to the Federal Trade Commission's requirements.

Very truly yours,

[REDACTED]

*10/21 - called  
and advised [REDACTED]  
that it is a Premerger office  
position (and not that of the  
Commission) regarding filing or  
non-filing for [unclear] or  
[unclear]  
PRL*