## (December 2011) Department of the Treasury

## **Report of Organizational Actions Affecting Basis of Securities**

▶ See separate instructions.

OMB No. 1545-2224

Internal Revenue Service Reporting Issuer Part I 2 Issuer's employer identification number (EIN) Issuer's name SPIRIT OF AMERICA INCOME & OPPORTUNITY FUND 46-2996407 3 Name of contact for additional information 4 Telephone No. of contact 5 Email address of contact ALAN P. CHODOSH APCHODOSH@DAVIDLERNER.COM 6 Number and street (or P.O. box if mail is not delivered to street address) of contact 7 City, town, or post office, state, and Zip code of contact **477 JERICHO TURNPIKE** SYOSSET, NY 11791 8 Date of action 9 Classification and description SEE ATTACHED REGULATED INVESTMENT COMPANY (RIC) SHARES 10 CUSIP number 11 Serial number(s) 12 Ticker symbol 13 Account number(s) SOAOX 84860V104 Organizational Action Attach additional statements if needed. See back of form for additional questions. Part II Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ► THE SPIRIT OF AMERICA INCOME & OPPORTUNITY FUND (THE "FUND") IS A REGULATED INVESTMENT COMPANY THAT DISTRIBUTES NET INVESTMENT INCOME MONTHLY. FOR THE MONTHLY NET INVESTMENT INCOME DISTRIBUTIONS PAID BY THE FUND FOR THE 2013 CALENDAR YEAR, 27.1246% OF EACH DISTRIBUTION IS CONSIDERED A NON-TAXABLE RETURN OF CAPITAL. ATTACHMENT TO IRS FORM 8937 FOR MORE DETAIL Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ► FOR THE DISTRIBUTIONS REFERENCED ABOVE, 27.1246% SHOULD BE TREATED AS A NON-TAXABLE RETURN OF CAPITAL. PLEASE SEE THE ATTACHMENT TO IRS FORM 8937 FOR MORE DETAIL Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ► THE BASIS OF EACH SHAREHOLDER OF RECORD ON THE DISTRIBUTION DATES REFERENCES IN THE ATTACHEMENT TO IRS FORM 8937 SHALL BE REDUCED BY 27.1246% OF THE AMOUNTS RECEIVED. THIS AMOUNT WAS DETERMINED IN ACCORDANCE WITH IRC SECTIONS 301 AND 316

Part I		Organizational Action (continued)	)		•					
<b>17</b> Li			n(s) and subsection(s) upon which the tax tr	eatment is based ▶	IRC SECTIONS 301 AND					
316.										
			S WOULD NOT BE RECOGNIZED AS PA							
			TO BE ADJUSTED BY THE AMOUNT OF	THE DISTRIBUTIO	N THAT WOULD AFFECT					
REALIZ	ED G	AIN OR LOSS RECOGNIZED ON THE D	ISPOSITION OF FUND SHARES							
			ment the adjustment, such as the reportabl	e tax year ▶ <u>THE A</u>	MOUNTS AS REPORTED					
ABOVE	ARE	REPORTABLE FOR THE 2013 TAX YEA	AR.							
		Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.								
Sign Here	Signa	Signature on File Date ▶								
-	Print	your name ►	Preparer's signature	Title ► Date	OL L D : PTIN					
Paid		Print/Type preparer's name	i reparer s signature	Date	Check   If					
Prepa					self-employed					
Use C		Firm's name ►			Firm's EIN ▶					
		Firm's address ▶			Phone no.					
Send Fo	orm 89	37 (including accompanying statements)	to: Department of the Treasury, Internal Re	venue Service, Ogo	len, UT 84201-0054					

						NON-DIVIDEND	
				TOTAL	ORDINARY	DISTRIBUTION	RETURN OF
	RECORD			DISTRIBUTION	DISTRIBUTION	(RETURN OF	CAPITAL
ISSUER'S NAME	DATE	EX-DATE	PAYABLE DATE	PER SHARE	PER SHARE	CAPITAL)	PERCENTAGE
SPIRIT OF AMERICA INCOME & OPPORTUNITY FUND	Daily	Daily	08/15/2013	0.041029704	0.029900545	0.011129159	27.1246%
BOX 10 CUSIP NUMBER: 84860V104	Daily	Daily	09/16/2013	0.020159227	0.014691110	0.005468117	27.1246%
BOX 12 TICKER SYMBOL: SOAOX	Daily	Daily	10/15/2013	0.020728560	0.015106013	0.005622547	27.1246%
	Daily	Daily	11/17/2013	0.029439652	0.021454253	0.007985399	27.1246%
	Daily	Daily	12/16/2013	0.049803089	0.036294181	0.013508908	27.1246%
	Daily	Daily	12/31/2013	0.042679537	0.031102867	0.011576670	27.1246%