

## Form PC-F Instructions

### Cover Page

- Please type or print in ink all responses very clearly.
- Please answer all questions and provide attachments and/or explanations that are applicable to your organization.
- For the Fiscal Period, indicate the beginning of the organization's current fiscal year in the blank provided, using numbers such as 1/1/2014.
  - The Form PC-F must be used to report on an organization's financial activity from the first day of its **current fiscal year** up to the submission of its administrative petition or complaint to the AGO.
  - For a period longer than that, the organization must submit a full Form PC (or PCs) to capture the entire fiscal year (or years) with the filing fee(s) and all required attachments in addition to the Form PC-F.
  - A public charity that is not required to file annual Form PCs must file a financial report summarizing its last three years of activity completed by an accountant, treasurer or other officer responsible for the organization's finances. If you have questions about what should be included in this report, please call the AGO at (617) 727-2200, x2101.
- For the Attorney General's Account #, indicate the number assigned to the organization by the AGO. If it does not have or know its Attorney General Number, please call the AGO.
- Indicate all additional documents submitted to the Division with the Form PC-F. A complete "Judicial Complaint Package" includes a Judicial Complaint, Motion for Interlocutory Order, and Interlocutory Order.

### I. Organization Data

- Provide contact information for the organization that will remain in effect for at least 16 weeks after submission to the AGO. If the organization has closed or will close its offices during that period, please provide information that will ensure the AGO is able to contact an authorized representative, if necessary.
- Please be sure to clearly label all responses that require additional information with the corresponding Question number.

#### Question 1

- Indicate whether the public charity is in compliance with its reporting to the AGO. If you are unsure, call the AGO to verify.

#### Question 2

- Indicate whether the organization will have any remaining cash or other assets to transfer after it has paid its debts and other liabilities, including costs associated with winding up its activities and dissolving.
  - If dissolving administratively, the organization cannot have any remaining assets

### Question 3

- Indicate whether the public charity had any financial activity after the filing of its last Form PC. Even a small amount of activity, such as bank fees, constitutes activity.

### Question 4

- Indicate whether the organization's liabilities, including costs associated with winding up its activities and dissolving, are greater than its assets and that it will therefore dissolve with amounts still due individuals and/or businesses (creditors).
- Please attach a list with the name of each creditor and the approximate amount due the creditor. If any related party was paid an amount due it, please complete Question 7.

### Question 5

- Report any transfer of assets that would not have occurred as part of the organization's regular daily activity or as specified in the organizational documents.
- In the attachment, provide a description of the assets, including amount and date of distribution, recipient, and the board action authorizing the transfer.
  - **As an example, an entity that generally makes grants may make a final grant of all of its assets, but an entity that provides services may not make a grant to another entity to provide the same services.**
  - Any transfer involving a related party must be disclosed under Question 7.

### Question 6

- As a general rule, donor restrictions may only be removed by court order or with the consent of the donor. Indicate here whether any restrictions were removed from any of the organization's donor-restricted funds.
- Provide in the attachment: the amount of funds, a copy of the gift instrument, the nature of the restriction, the process used to remove the restriction, the board action authorizing the removal, a description of how the funds will be used, and a copy of either the court order or the written consent of the donor authorizing the removal.

### Question 7

- In brief, a related party is an officer, director, trustee, or management employee of the dissolving entity, their immediate relatives, and the non-profit and for-profit entities that they are involved in.
- Related party transactions must be reported even when there is no accounting recognition, e.g., in-kind gifts. Please see the Form PC Instructions for the full definition of a related party.

### **Question 8**

- Complete this Question in its entirety. If the organization did not have income or expenditures, you may report zero in that category.
  - If the organization has outstanding debt or liabilities greater than its net assets, the figure in 8H cannot be \$0.

### **Question 9**

- If the charity has remaining expenses relative to its winding up and dissolution, answer "Yes" and itemize the costs, for example, legal or accounting fees, that have not been paid.
  - If dissolving administratively, please be sure to pay all outstanding expenses prior to submitting the Form PC-F.

### **Question 10**

- This Question concerns all remaining assets that the charity will transfer as part of its dissolution, including cash, stock, real estate, contracts, intellectual or any other property.
- Provide a description of the asset, the name of the receiving organization and whether it is a related party (as defined in the Form PC Instructions), and the approximate value of the asset.
- If an entity is a related party put "Yes" in the box, if not, put "No."
- If one organization is receiving all of a charity's assets and there are different types of assets, please classify each type to be transferred and articulate its value. You may attach an additional page if more space is needed.

### **Question 11 (For “with-asset” dissolutions only)**

- A public charity should distribute all of its remaining assets to non-profit, charitable organizations that either have a similar mission or purpose to the dissolving entity or agree to use the assets for such mission or purpose.
  - If it is unable to do so, please provide an explanation as to how the dissolving organization sought to meet this requirement.

## **II. Signature Required**

- The contact information for the person signing on behalf of the organization should be provided here. If this form is completed by anyone other than the individual signing on the organization's behalf, please identify that individual and include their contact information.
- The date provided should be the date the PC-F is signed.