

# **Gift Acceptance and Administration Policy**

**Nature Collective, formally known as San Elijo Lagoon  
Conservancy**

September 2018

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## **I. INTRODUCTION**

Nature Collective is a nonprofit public benefit corporation organized under the laws of the State of California that encourages the solicitation and acceptance of gifts for purposes that will help to further and fulfill its mission.

### **a. Mission | Vision**

We exist to drive a passion for nature, for all. We believe that if we help people discover a passion for nature, they will want to protect it and value everything it has to offer. We envision a world where everyone experiences, connects with, and protects nature.

### **b. Purpose of Gift Acceptance and Administration Policy**

This policy and these procedures govern the solicitation, acceptance, and administration of gifts by the Nature Collective and provide guidance to prospective donors and their advisors when making gifts. The provisions of this policy shall apply to all gifts received by the Nature Collective for any of its programs or services.

### **c. Administrative Responsibility**

The Board of Directors of Nature Collective (Board) empowers the executive director to ensure appropriate compliance with this policy by all staff, consultants, and volunteers.

### **d. Ethical Standards**

#### **i. NCPG & AFP Guidelines**

Every employee or person interacting with donors in the gift planning process on behalf of the Nature Collective shall adhere to the “Model Standards of Practice of the Charitable Gift Planner” set forth by the National Committee on Planned Giving (NCPG) in Attachment “A”, and the “Donor Bill of Rights” in Attachment “B”, developed by the American Association of Fundraising Counsel (AAFRC), Association for Health Care Philanthropy (AHP), Council for Advancement and Support of Education (CASE), and Association of Financial Professionals (AFP).

#### **ii. Independent Counsel**

Donors are advised to secure the advice of independent counsel with regard to the legal, estate, and tax consequences resulting from gifts to the Nature Collective. It is the policy of the Nature Collective that the donor’s attorney may not also represent the Nature Collective on a specific gift. Additionally, donor advisors that serve on a governing or advisory board for the Nature Collective must disclose any conflicts of interest and refrain from voting on gifts in which they serve as counsel to the donor.

#### **iii. Confidentiality and Donor Disclosures**

All information concerning donors or prospective donors, including name, names of beneficiaries, gift amounts, and other personal information shall be kept confidential

unless permission is obtained from the donor to release such information. The role and relationship of all parties involved in the gift planning process shall be fully disclosed to donors, including how and by who each is compensated, if applicable. Donors receiving advice, recommendations, and/or illustrations for deferred and other major gift arrangements from the Nature Collective in contemplation of a gift transaction must sign the “Donor Disclosure” in Attachment “C” that acknowledges that neither the Nature Collective nor any employee or agent is in the business of rendering legal or tax advice and that the donor has been advised to seek independent counsel on these matters.

**iv. Public Disclosure**

Nature Collective will comply with the regulation contained in Section 6104 (d) of the Internal Revenue Code that became effective June 8, 1999, with regard to documents that must be made available for public inspection. These documents include application for tax exemption and annual information returns for the past three years including all schedules and attachments filed with the IRS except for parts of the return that identify names and addresses of donors. These documents will be available for public inspection at the Nature Collective's principal office during normal business hours. Written requests will be honored within 30 days from the date the request is received.

**e. Policy Review and Revision**

This policy is subject to periodic review and revision by Nature Collective's Board of Directors. Potential donors are advised to request the most current policy document.

**II. GIFT ACCEPTANCE**

**a. Types of Gifts**

The policy of Nature Collective shall be to encourage gifts of any type and description that are consistent with its mission. Nature Collective reserves the right to abstain from accepting any and all gifts that are not consistent with its mission for any reason. Gifts that will be considered for acceptance include:

Cash and Cash Equivalents	Bargain Sales	Retirement Plan Designations
Tangible Personal Property	Life Insurance	Bequests
Securities and Closely Held Securities, etc.	Charitable Gift Annuities	Pooled Income Funds
Real Estate	Charitable Remainder Trusts	Ownership Interests
Remainder Interests in Property	Charitable Lead Trusts	Other Beneficiary Designations
Oil, Gas, & Mineral Rights	Patents/Royalties	Retained Life Estates

**b. Authority**

The executive director or his or her designee may accept any and all gifts, except for those listed in paragraph “c.” below that requires board approval.

**c. Gifts Requiring Board Approval**

The following gifts require review by the Finance Committee with recommendations to the board for action.

- i. Tangible Personal Property—Gifts of this type** require board approval if the gift requires ongoing costs to maintain; entails restrictions on the use, display, or sale; or is not readily marketable.
- ii. Closely Held Securities and interests in LLP's and LLC's or other Ownership Forms--All** gifts of these types shall be submitted to the Board for approval. The board will consider restrictions that would prevent or hamper liquidation, marketability issues, potential unrelated business income tax consequences, etc.
- iii. Real Estate--All** gifts of real estate require board approval. The board will consider an evaluation of the usefulness of the property for the organization's purposes, including the marketability, physical condition, zoning restrictions, appraised value, appreciation potential, management responsibilities, related expenses, environmental issues, and risk.  
Donors contemplating a current gift of real estate must provide the following:
  1. Qualified appraisal.
  2. Phase I Environmental Audit as part of the "due diligence" to protect against liability exposure under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This requirement may be waived for residential properties used exclusively for residential purposes for a period of 30 years with no known indication of environmental contamination.
  3. Disclosure of all restrictions, reservations, easements, mechanic liens and encumbrances.
  4. Disclosure of carrying costs, including but not limited to, taxes, insurance, maintenance, association dues, membership fees, and other expenses.
  5. Phase II Environmental Impact Study and/or an "Agreement to Indemnify" if requested by the Board.
- iv. Retained Life Estates--All** retained life estates in residential property require board approval. The board will consider the donor's life expectancy, age and condition of the property, appreciation potential, and area property information. Donors must enter into a "Life Estate Agreement" with Nature Collective that fully outlines the responsibilities of both parties.
- v. Bargain Sales--All** bargain sales (real estate, tangible personal property, inventory, artwork, etc.) require board approval. The board will consider use of the property, marketability, debt, holding period costs, and other facts deemed of relevance. Donors will be required to obtain a qualified appraisal prior to consideration for acceptance, and provide information required by sections 2 through 5 in paragraph iii, for a bargain sale of real property. Generally, Nature Collective will obtain an independent appraisal substantiating the value of the property and will not enter into bargain sales in which the debt ratio exceeds 50% of the appraised market value.

**vi. Life Insurance--**Nature Collective must be named as both beneficiary and irrevocable owner of an insurance policy before it can be recorded as a gift. The gift is valued at its interpolated terminal reserve value, or cash surrender value, upon receipt. (Beneficiary designations do not require board approval).

1. Paid-up Policies: Although paid-up policies may be accepted without board approval, the board shall determine if the policy will be held, surrendered for cash value, or exchanged for another policy.
2. Other than paid-up policies: Insurance policies that are not paid-up require board approval. If accepted the donor must provide a statement that tNature Collective did not select the policy donated and that Nature Collective has no liability and gives no guarantees as to the financial performance of the policy or underlying insurer. If the donor contributes future premium payments, Nature Collective will include the entire amount of the additional premium payment as a gift in the year that it is made. If the donor does not elect to continue to make gifts to cover premium payments on the life insurance policy, the board shall determine whether it will continue to pay the premiums, convert or exchange the policy, or surrender the policy for cash value.

**vii. Oil, Gas, and Mineral Interests-**Oil, gas, and mineral interests require board approval. Working interests are generally not acceptable. Surface rights must be free of extended liabilities, valued at \$20,000 or more, and generate at least \$3,000 per year in royalties. Donors will be required to provide a qualified appraisal and environmental impact reports as requested.

**viii. Patents-**All gifts of patents and royalties require board approval.

**d. Deferred and Split-Interest Gifts-**Deferred and split-interest gifts not listed above may include the following and do not require board approval:

<b>Bequests</b>	<b>Charitable Remainder Trusts</b>	<b>Pooled Income Funds</b>
<b>Beneficiary Designations</b>	<b>Charitable Lead Trusts</b>	<b>Charitable Gift Annuities</b>

**i. Bequests, beneficiary designations, & charitable trusts**

Nature Collective may or may not be informed of its status as a beneficiary or remainderman with regard to bequests, beneficiary designations, or charitable trusts. If informed, Nature Collective will provide guidance and appropriate language to the donor and/or

donor's counsel to assist in ensuring that the donor's intentions are fulfilled. At gift maturity, all acceptance guidelines listed in paragraph II(b) and II(c) shall apply.

**ii. Pooled Income Funds**

Nature Collective provides a Pooled Income Fund option to donors through The San Diego Foundation:

- \* Name of Fund: The San Diego Foundation Pooled Income Fund IV (Remainder after donor's death supports the Nature Collective Endowment.)
- \* Minimum initial contribution: \$25,000.00
- \* Minimum additional contribution: \$1,000
- \* Minimum Age to Participate: 65

**iii. Charitable Gift Annuities**

Nature Collective is not licensed as a grants and annuities society but offers charitable gift annuities as a planned giving option through The San Diego Foundation.

- \* Minimum Age to Receive Income: 65 for current contract
- \* Minimum Contribution: \$25,000 (Remainder after donor's death supports the Nature Collective Endowment.)
- \* Acceptable Assets: Cash and publicly traded securities
- \* Types of Contracts Offered: Immediate
- \* Maximum Rates Offered: As established by the American Council on Gift Annuities

**e. Restricted Gifts**

Restricted gifts must be consistent with Nature Collective's mission. Donors considering making a restricted gift to Nature Collective are invited to discuss their interests with the Nature Collective's executive director or development director. Restricted gifts in excess of \$50,000 are subject to board approval. The following guidelines apply:

**i. Temporarily Restricted Gifts**

Temporarily restricted gifts shall be used for a Nature Collective project or program as specified by the donor.

**ii. Permanently Restricted Gifts (Endowments)**

1. Permanently restricted gifts shall be used for a Nature Collective project, program or endowment as specified by the donor.
2. Gifts of any size are acceptable for addition to existing endowments funds.

3. Gifts for new endowments require the following minimum amounts:  
\*\$10,000 for new Nature Collective endowments to be managed by the Rancho Santa Fe Foundation.

\*\$50,000 for new Nature Collective endowments to be managed by The San Diego Foundation.

\* Nature Collective endowments not established through either of the above foundations will be evaluated on a case-by-case basis.

### **iii. Donor Disclosure Waiver**

Donors may be requested to sign the Donor Disclosure Waiver (included in Attachment "C") allowing alternate use of a restricted gift in such case that it becomes impractical to administer the fund or the purpose for which the fund was established no longer exists.

### **iv. Operating Reserve Fund**

Nature Collective maintains the operating reserve fund as a board managed fund. Donors who might designate their gifts for this special fund are advised that its purpose is to provide funds which might be needed to augment Nature Collective 's operating account from time to time, and that board action would result in expenditures from the corpus of this fund.

### **f. Cash, Cash Equivalents, and Publicly Traded Securities**

Unrestricted gifts of cash, cash equivalents, and publicly traded securities with a value of less than \$50,000 do not require board approval.

### **g. Expense Reimbursement**

Donors shall be responsible for all expenses related to making a gift, including but not limited to, attorney and other advisor fees, appraisal fees, and environmental surveys. Exceptions to this policy require board approval.

## **III. GIFT ADMINISTRATION**

### **a. Receipts**

Gift receipts, as required, will be issued for all gifts within 30 days from the date received. Receipts will state the name of the donor, date received, restrictions if applicable, and a description of the gifted property. If the donor received something of value in exchange for the gift (quid pro quo), the receipt will state the value of the item received; otherwise, the receipt shall state: "No goods or services were received in consideration of his gift". Gift receipts, for gifts of tangible personal property (including securities) shall not include a valuation of the asset, which is the responsibility of the donor.

### **b. Record Keeping**

Gift records reflecting the name of the donor and details of the gift will be maintained in an electronic database and a digital copy of all gift receipts filed for reference.

**c. Recognition**

It is Nature Collective's desire to publicly acknowledge gifts whenever it is acceptable to the donor and appropriate. Recognition of gifts will be guided by Nature Collective's current Recognition Program Policies as outlined in Attachment "C".

**d. Valuation Standards and Gift Counting Policies**

The following valuation standards and gift counting policies govern gifts to the Nature Collective:

**i. Publicly Traded Securities**

Average of the high and low value (or bid and ask) on the date received into the Charity's brokerage account.

**ii. Closely Held Securities**

If \$10,000 or less--the value of the per-share purchase price of the most recent transaction; if over \$10,000--the certified appraisal value.

**iii. Life Insurance**

Policies are valued at interpolated terminal reserve value, or cash surrender value, upon receipt. Death benefits are credited to the donor's record less any previously reported cash surrender values.

**iv. Pledges**

Pledge payments are deemed as gifts on the date received.

**v. Real Property**

Certified appraisal value

**vi. Tangible Personal Property** (other than securities)

Values of \$5,000 or less--use an estimate of value provided by the donor or other expertise;

Values of over \$5,000--use certified appraisal value.

**vii. Vehicles, Boats and Airplanes**

Gift credit will be equal to sale proceeds received by Nature Collective if vehicle is valued at over \$500, unless an approved IRS exception applies. Nature Collective will generally utilize a professional car brokerage service company to collect and liquidate all donated vehicles. Nature Collective will issue a 1098-C, required by the IRS, to all vehicle donors following the end of the year in which the gift was made.

**viii. Deferred Gifts**

No credit to the donor's record will be made unless the interest of Nature Collective is irrevocable. If Nature Collective's interest is irrevocable and Nature Collective is apprised of the gift, the gift will be credited at the net-present value, based on life expectancy tables and discount values chosen by Nature Collective's CFO or Accountant.

**ix. Donations**

Donations, including membership payments, may or may not be deductible as gifts depending on the level of the donations and the benefits provided to the donor. The non-deductible portion will be indicated on the acknowledgment receipt.

**e. Allocation of Gift Resources**

The following policies will govern the allocation of gift resources:

**i. Endowments**

It is the intent of Nature Collective to encourage and support the growth of endowments for the long-term financial stability of Nature Collective by allocating all unrestricted realized deferred gifts (i.e. bequests, charitable trust distributions, gift annuities, etc.) toward this objective. The following policies govern the allocation of such gifts to Nature Collective endowments.

1. All such gifts up to \$50,000 will be divided equally and placed in one of the appropriate Nature Collective endowments at the Rancho Santa Fe Foundation and/or The San Diego Foundation. The board will determine the allocation of gift amounts over \$50,000. The amount of any realized gifts in excess of \$50,000 shall be allocated among Nature Collective endowments at the board's discretion.
2. During the annual budget review and approval, the board may determine a percentage or amount of the unrestricted balance of Nature Collective operating account to be transferred to Nature Collective endowments.

**ii. Operating Account**

All unrestricted gifts other than unrestricted realized deferred gifts shall be first allocated to the Nature Collective operating account. The board at its discretion may elect to redirect funds from the Nature Collective operating account to any Nature Collective project, special fund, or endowment.

**iii. Cash Reserves Fund**

It is the policy of Nature Collective to maintain an operating reserve fund equal to a minimum of 6 months of operating costs.

**iv. Fund Management**

1. Endowment and Board Managed Funds Held by Nature Collective:

Nature Collective maintains a written investment policy which provides guidance to the professional money managers that make investment decisions for Nature Collective endowments and funds. The board shall review the investment policy annually. In order to ensure appropriate fiduciary conduct, these policies will be in conformance with the standards of the Uniform Management of Institutional Funds Act and the Uniform Prudent Investor Act and the process of managing these assets will include:

- Documentation of the process used to derive investment decisions.
- Diversification of portfolio assets with regard to specific risk/return objectives of the beneficiaries.

- The use of professional money managers and consultants (prudent experts) to assist with the investment decision process.
- Control and accounting for all investment expenses.
- Monitoring of all money manager and service provider activities.
- Avoidance of conflicts of interest.

2. Nature Collective Endowments Held at the Rancho Santa Fe Foundation and The San Diego Foundation

The Rancho Santa Fe Foundation (“RSFF”) and The San Diego Foundation (“TSDF”) are responsible for maintaining investment and disbursement policies with regard to the Conservancy endowments held at their respective foundations.

- a. RSFF maintains four endowments: the Alan B. Thum Land Stewardship Endowment; the Nature Collective-AP Agricultural Program Endowment; the Nature Collective Operating Endowment; and the Conservation Education
- b. Endowment. TSDF maintains The Nature Collective Endowment (Fund#4366). If a donor wants to exclusively support Nature Collective and their gift (current or planned) is \$25,000.00 or greater, TSDF can set up an endowment fund that carries their name in perpetuity.

3. The San Elijo Lagoon Tidal Circulation Program Trust and the San Elijo Lagoon Subsidiary Fund

Nature Collective maintains two separate funds specifically established to support the maintenance, monitoring, and restoration of the tidal inlet and wetlands habitat of the San Elijo Lagoon. Fund management, investment strategy, disbursement schedule, and reporting requirements of the San Elijo Lagoon Tidal Circulation Program Trust and the San Elijo Lagoon Subsidiary Fund are subject to the terms and conditions of the Revised Trust Agreement between the California Coastal Conservancy and Nature Collective dated 4-19-05.

4. Cash Reserves and Short-Term Pools

The executive director, subject to the review and guidance of the board finance committee, shall be responsible for decisions with regard to the investment of cash reserves and short-term assets.

**v. Special Procedures**

1. Appraisals and Donor Reporting Requirements

Donors are required to file IRS form 8283 for gifts of tangible personal property if the aggregate reported value of the property exceeds \$5,000 (or in the case of non-publicly traded stock- \$10,000) and obtain qualified appraisals as may be required. The executive director will be responsible for signing on behalf of the Conservancy on IRS form 8283 when presented for signature by the donor.

2. Nature Collective Reporting Requirements

The executive director will be responsible for filing IRS Form 8282 within 125 days from the date of sale of any asset sold within two years of receipt by the Nature Collective when the charitable deduction value of the item is more than \$5,000.

3. Security Liquidation

It is the fiduciary policy of the Nature Collective to liquidate publicly traded securities as soon as possible after receipt to avoid unnecessary market fluctuation. Realized gains or losses on security sales shall be reported as such and do not have an effect on the amount credited to the donor's gift record.

4. Serving as Trustee

To avoid potential conflicts of interest, Nature Collective will not generally serve in a trustee capacity on trusts established by donors, in which Nature Collective has a beneficial or remainder interest. Staff of the Nature Collective are prohibited from serving in any fiduciary capacity for donors, other than for members of their immediate family.

5. Accounting and Reporting Standards

The Board of Directors is responsible for oversight of Nature Collective's financial reporting. Management is responsible for the preparation and fair presentation of Conservancy financial statements in accordance with accounting principles generally accepted in the United States of America.

THIS POLICY WAS APPROVED BY NATURE COLLECTIVE BOARD OF DIRECTORS ON SEPTEMBER 26, 2018 AT A REGULAR BOARD MEETING HELD IN ACCORDANCE WITH ITS BY-LAWS.



David Kramer  
Secretary, Board of Directors

**ATTACHMENT A**  
**Model Standards of Practice of the Charitable Gift Planner**

Preamble

The purpose of this statement is to encourage responsible charitable gift planning by urging the adoption of the following Standards of Practice by all who work in the charitable gift planning process, including charitable institutions and their gift planning officers, independent fundraising consultants, attorneys, accountants, financial planners and life insurance agents, collectively referred to hereafter as “Gift Planners.”

This statement recognizes that the solicitation, planning and administration of a charitable gift is a complex process involving philanthropic, personal, financial, and tax considerations, and often involves professionals from various disciplines whose goals should include working together to structure a gift that achieves a fair and proper balance between the interests of the donor and the purposes of the charitable institution.

I. Primacy of Philanthropic Motivation

The principal basis for making a charitable gift should be a desire on the part of the donor to support the work of charitable institutions.

II. Explanation of Tax Implications

Congress has provided tax incentives for charitable giving, and the emphasis in this statement on philanthropic motivation in no way minimizes the necessity and appropriateness of a full and accurate explanation by the Gift Planner of those incentives and their implications.

III. Full Disclosure

It is essential to the gift planning process that the role and relationships of all parties involved, including how and by whom each is compensated, be fully disclosed to the donor. A Gift Planner shall not act or purport to act as a representative of any charity without the express knowledge and approval of the charity, and shall not, while employed by the charity, act or purport to act as a representative of the donor, without the express consent of both the charity and the donor.

IV. Compensation

Compensation paid to Gift Planners shall be reasonable and proportionate to the services provided. Payment of finders fees, commissions or other fees by a donee organization or an independent Gift Planner as a condition for the delivery of a gift are never appropriate. Such payments lead to abusive practices and may violate certain state and federal regulations. Likewise, commission-based compensation for Gift Planners who are employed by a charitable institution is never appropriate.

## V. Competence and Professionalism

The Gift Planner should strive to achieve and maintain a high degree of competence in his or her chosen area, and shall advise donors only in areas in which he or she is professionally qualified. It is a hallmark of professionalism for Gift Planners that they realize when they have reached the limits of their knowledge and expertise, and as a result, should include other professionals in the process. Such relationships should be characterized by courtesy, tact and mutual respect.

## VI. Consultation with Independent Advisers

A Gift Planner acting on behalf of a charity shall in all cases strongly encourage the donor to discuss the proposed gift with competent independent legal and tax advisers of the donor's choice.

## VII. Consultation with Charities

Although Gift Planners frequently and properly counsel donors concerning specific charitable gifts without the prior knowledge or approval of the donee organization, the Gift Planners, in order to insure that the gift will accomplish the donor's objectives, should encourage the donor, early in the gift planning process, to discuss the proposed gift with the charity to whom the gift is to be made. In cases where the donor desires anonymity, the Gift Planners shall endeavor, on behalf of the undisclosed donor; to obtain the charity's input in the gift planning process.

## VIII. Explanation of the Gift

The Gift Planner shall make every effort, insofar as possible, to insure that the donor receives a full and accurate explanation of all aspects of the proposed charitable gift.

### Full Compliance

A Gift Planner shall fully comply with and shall encourage other parties in the gift planning process to fully comply with both the letter and spirit of all applicable federal and state laws and regulations.

### Public Trust

Gift Planners shall, in all dealings with donors, institutions and other professionals, act with fairness, honesty, integrity and openness. Except for compensation received for services, the terms of which have been disclosed to the donor, they shall have no vested interest that could result in personal gain.

*Developed by the National Committee on Planned Giving*

## **ATTACHMENT B**

### **Donor Bill of Rights**

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To assure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the not-for-profit organizations and causes they are asked to support, we declare that all donors have these rights:

1. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for intended purposes.
2. To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
3. To have access to the organization's most recent financial statements.
4. To be assured their gifts will be used for the purposes for which they were given.
5. To receive appropriate acknowledgment and recognition.
6. To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by law.
7. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
8. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
9. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
10. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

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**ATTACHMENT C**  
**Donor Disclosure and Waiver**

**Privacy Notice**

All information supplied by the donor is considered confidential and will not be disseminated to others except if required by law.

**Consent to Use Personal Information**

We are grateful for the support we have received from you and other donors. One of the ways our appreciation is expressed may be through the listing of your name in publications. Should you wish that your name not appear as a donor, please let us know.

**Independent Counsel.**

Our policy requires that we advise you to consult with your own independent counsel to review any gift transaction prior to completion. The undersigned acknowledges that neither Nature Collective nor its representatives render legal or tax advice.

**Fiduciary Responsibility**

Nature Collective is a California nonprofit, public-benefit corporation with the responsibility for governance vested in its Board of Directors.

I have read and understand the above disclosures.

\_\_\_\_\_  
Donor Name

\_\_\_\_\_  
Signature of Donor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Nature Collective ED or Board Officer

\_\_\_\_\_  
Date

**WAIVER**

Should the purpose designated for my gift no longer exist or become impractical in the opinion of the Nature Collective board of directors, I direct that the Board elect an alternate use for the gift and make every effort to apply the proceeds of my gift to a related purpose or purposes which in the Directors' opinion will most nearly accomplish my wishes while meeting the needs of the Nature Collective.

\_\_\_\_\_  
Signature of Donor

\_\_\_\_\_  
Date

**ATTACHMENT D**  
**SAMPLE LANGUAGE FOR CHARITABLE BEQUESTS**

**GIFT OF A PERCENTAGE OF THE ESTATE**

“I give, devise, and bequeath to Nature Collective, a nonprofit public benefit corporation, with offices currently at 777 So Highway 101, Solana Beach, CA 92075, \_\_\_\_\_% of the residue of my estate for its unrestricted use (OR INSERT SPECIFIC PURPOSE) in carrying out its mission.”

**GIFT OF A SPECIFIC DOLLAR AMOUNT**

“I give, devise, and bequeath to Nature Collective, a nonprofit public benefit corporation, with offices currently at 777 So Highway 101, Solana Beach, CA 92075, the cash sum of \$\_\_\_\_\_ for its unrestricted use (OR INSERT SPECIFIC PURPOSE) in carrying out its mission.”

**GIFT OF SPECIFIC PROPERTY**

“I give, devise and bequeath to Nature Collective a nonprofit public benefit corporation, with offices currently at 777 So Highway 101, Solana Beach, CA 92075, the following real property (here describe the premises with exactness and particularity) with power to lease, mortgage, or sell the same at its discretion, for its unrestricted use (OR INSERT SPECIFIC PURPOSE) in carrying out its mission.”

**GIFT OF THE RESIDUE OF AN ESTATE**

“I give the residue of my estate, including all failed and lapsed gifts to Nature Collective a nonprofit public benefit corporation, with offices currently at 777 So Highway 101, Solana Beach, CA 92075, for its unrestricted use (OR INSERT SPECIFIC PURPOSES) in carrying out its mission.”

For further information or assistance contact:  
Nature Collective  
T: 760.436.3944 E: [info@thenaturecollective.org](mailto:info@thenaturecollective.org)

## ATTACHMENT E

### Public inspection and distribution of applications for tax exemption and annual information returns of tax-exempt organizations

CFR > Title 26 > Chapter I > Subchapter F > Part 301 > Subpart - Information and Returns > Section 301.6104(d)-1

26 CFR 301.6104(d)-1 - Public inspection and distribution of applications for tax exemption and annual information returns of tax-exempt organizations.

§ 301.6104(d)-1 Public inspection and distribution of applications for tax exemption and annual information returns of tax-exempt organizations.

(a) *In general* Except as otherwise provided in this section, if a tax-exempt organization (as defined in paragraph (b)(1) of this section) filed an application for recognition of exemption under section 501, it shall make its application for tax exemption (as defined in paragraph (b)(3) of this section) available for public inspection without charge at its principal, regional and district offices during regular business hours. Except as otherwise provided in this section, a tax-exempt organization shall make its annual information returns (as defined in paragraph (b)(4) of this section) available for public inspection without charge in the same offices during regular business hours. Each annual information return shall be made available for a period of three years beginning on the date the return is required to be filed (determined with regard to any extension of time for filing) or is actually filed, whichever is later. In addition, except as provided in §§ 301.6104(d)-2 and 301.6104(d)-3, an organization shall provide a copy without charge, other than a reasonable fee for reproduction and actual postage costs, of all or any part of any application or return required to be made available for public inspection under this paragraph to any individual who makes a request for such copy in person or in writing. See paragraph (d)(3) of this section for rules relating to fees for copies.

(b) *Definitions.* For purposes of applying the provisions of section 6104(d), this section and §§ 301.6104(d)-2 and 301.6104(d)-3, the following definitions apply:

(1) *Tax-exempt organization.* The term *tax-exempt organization* means any organization that is described in section 501(c) or section 501(d) and is exempt from taxation under section 501(a). The term *tax-exempt organization* also includes any nonexempt charitable trust described in section 4947(a)(1) or nonexempt private foundation that is subject to the reporting requirements of section 6033 pursuant to section 6033(d).

(2) *Private foundation.* The term *private foundation* means a private foundation as defined in section 509(a) or a nonexempt charitable trust described in section 4947(a)(1) or a nonexempt private foundation subject to the information reporting requirements of section 6033 pursuant to section 6033(d).

(3) *Application for tax exemption -*

(i) *In general.* Except as described in paragraph (b)(3)(iii) of this section, the term *application/or tax exemption* includes any prescribed application form (such as Form 1023 or Form 1024), all documents and statements the Internal Revenue Service requires an applicant to file with the form, any statement or other supporting document submitted by an organization in support of its application, and any letter or other document issued by the Internal Revenue Service concerning the application (such as a favorable determination letter or a list of questions from the Internal Revenue Service about the application). For example, a legal brief submitted in support of an application, or a response to questions from the Internal Revenue Service during the application process, is part of an application for tax exemption.

(ii) *No prescribed application form.* If no form is prescribed for an organization's application for tax exemption, the application for tax exemption includes -

- (A) The application letter and copy of the articles of incorporation, declaration of trust, or other similar instrument that sets forth the permitted powers or activities of the organization;
- (B) The organization's bylaws or other code of regulations;
- (C) The organization's latest financial statements showing assets, liabilities, receipts and disbursements;
- (D) Statements describing the character of the organization, the purpose for which it was organized, and its actual activities;
- (E) Statements showing the sources of the organization's income and receipts and their disposition; and
- (F) Any other statements or documents the Internal Revenue Service required the organization to file with, or that the organization submitted in support of, the application letter.

(iii) *Exceptions.* The term *application for tax exemption* does not include -

- (A) Any application for tax exemption filed by an organization that the Internal Revenue Service has not yet recognized, on the basis of the application, as exempt from taxation under section 501 for any taxable year;
- (B) Any application for tax exemption filed before July 15, 1987, unless the organization filing the application had a copy of the application on July 15, 1987;
- (C) In the case of a tax-exempt organization other than a private foundation, the name and address of any contributor to the organization; or
- (D) Any material, including the material listed in § 301.6104(a)-1(i) and information that the Secretary would be required to withhold from public inspection, that is not available for public inspection under section 6104.

(iv) *Local or subordinate organizations.* For rules relating to applications for tax exemption of local or subordinate organizations, see paragraph (f)(1) of this section.

(4) *Annual information return* -

(i) *In general.* Except as described in paragraph (b)(4)(ii) of this section, the term *annual information return* includes an exact copy of any return filed by a tax-exempt organization pursuant to section 6033. It also includes any amended return the organization files with the Internal Revenue Service after the date the original return is filed. Returns filed pursuant to section 6033 include Form 990, Return of Organization Exempt From Income Tax, Form 990-PF, Return of Private Foundation, or any other version of Form 990 (such as Forms 990-EZ or 990-BL, except Form 990-T) and Form 1065. Each copy of a return must include all information furnished to the Internal Revenue Service on the return, as well as all schedules, attachments and supporting documents. For example, in the case of a Form 990, the copy must include Schedule A of Form 990 (containing supplementary information on section 501(c)(3) organizations), and those parts of the return that show compensation paid to specific persons (currently, Part V of Form 990 and Parts I and II of Schedule A of Form 990).

(ii) *Exceptions.* The term *annual information return* does not include Schedule A of Form 990-BL, Form 990-T, Exempt Organization Business Income Tax Return, Schedule K-1 of Form 1065 or Form 1120-POL, U.S. Income Tax Return For Certain Political Organizations. In the case of a tax-exempt organization other than a private foundation, the term *annual information return* does not include the name and address of any contributor to the organization.

(iii) *Returns more than 3 years old.* The term *annual information return* does not include any return after the expiration of 3 years from the date the return is required to be filed (including any extension of time that has been granted for filing such return) or is actually filed, whichever is later. If an organization files an amended return, however, the amended return must be made available for a period of 3 years beginning on the date it is filed with the Internal Revenue Service.

(iv) *Local or subordinate organizations.* For rules relating to annual information returns of local or subordinate organizations, see paragraph (f)(2) of this section.

(5) *Regional or district offices -*

(i) *In general.* A regional or district office is any office of a tax-exempt organization, other than its principal office, that has paid employees, whether part-time or full-time, whose aggregate number of paid hours a week are normally at least 120.

(ii) *Site not considered a regional or district office.* A site is not considered a regional or district office, however, if -

(A) The only services provided at the site further exempt purposes (such as day care, health care or scientific or medical research); and

(B) The site does not serve as an office for management staff, other than managers who are involved solely in managing the exempt function activities at the site.

(c) *Special rules relating to public inspection -*

(1) *Permissible conditions on public inspection.* A tax-exempt organization may have an employee present in the room during an inspection. The organization, however, must allow the individual conducting the inspection to take notes freely during the inspection. If the individual provides photocopying equipment at the place of inspection, the organization must allow the individual to photocopy the document at no charge.

(2) *Organizations that do not maintain permanent offices.* If a tax-exempt organization does not maintain a permanent office, the organization shall comply with the public inspection requirements of paragraph (a) of this section by making its application for tax exemption and its annual information returns, as applicable, available for inspection at a reasonable location of its choice. Such an organization shall permit public inspection within a reasonable amount of time after receiving a request for inspection (normally not more than 2 weeks) and at a reasonable time of day. At the organization's option, it may mail, within 2 weeks of receiving the request, a copy of its application for tax exemption and annual information returns to the requester in lieu of allowing an inspection. The organization may charge the requester for copying and actual postage costs only if the requester consents to the charge. An organization that has a permanent office, but has no office hours or very limited hours during certain times of the year, shall make its documents available during those periods when office hours are limited or not available as though it were an organization without a permanent office.

(d) *Special rules relating to copies -*

(1) *Time and place for providing copies in response to requests made in-person -*

(i) *In general* Except as provided in paragraph (d)(1)(iii) of this section, a tax-exempt organization shall provide copies of the documents it is required to provide under section 6104(d) in response to a request made in person at its principal, regional and district offices during regular business hours. Except as provided in paragraph (d)(1)(ii) of this section, an organization shall provide such copies to a requester on the day the request is made.

(ii) *Unusual circumstances.* In the case of an in-person request, where unusual circumstances exist such that fulfilling the request on the same business day places an unreasonable burden on the tax-exempt organization, the organization must provide the copies no later than the next business day following the day that the unusual circumstances cease to exist or the fifth business day after the date of the request, whichever occurs first. Unusual circumstances include, but are not limited to, receipt of a volume of requests that exceeds the organization's daily capacity to make copies; requests received shortly before the end of regular business hours that require an extensive amount of copying; or requests received on a day when the organization's managerial staff capable of fulfilling the request is conducting special duties, such as student registration or attending an off-site meeting or convention, rather than its regular administrative duties.

(iii) *Agents/or providing copies.* A principal, regional or district office of a tax-exempt organization subject to the requirements of this section may retain a local agent to process requests made in person for copies of its documents. A local agent must be located within reasonable proximity of the applicable office. A local agent that receives a request made in person for copies must provide the copies within the time limits and under the conditions that apply to the organization itself. For example, a local agent generally must provide a copy to a requester on the day the agent receives the request. When a principal, regional or district office of a tax-exempt organization using a local agent receives a request made in person for a copy, it must immediately provide the name, address and telephone number of the local agent to the requester. An organization that provides this information is not required to respond further to the requester. However, the penalty provisions of sections 6652(c)(1)(C), 6652(c)(1)(D), and 6685 continue to apply to the tax-exempt organization if the organization's local agent fails to provide the documents as required under section 6104(d).

(2) *Request for copies in writing -*

(i) *In general.* A tax-exempt organization must honor a written request for a copy of documents (or the requested part) that the organization is required to provide under section 6104(d) if the request -

(A) Is addressed to, and delivered by mail, electronic mail, facsimile, or a private delivery service as defined in section 7502(f) to a principal, regional or district office of the organization; and

(B) Sets forth the address to which the copy of the documents should be sent.

(ii) *Time and manner of fulfilling written requests -*

(A) *In general.* A tax-exempt organization receiving a written request for a copy shall mail the copy of the requested documents (or the requested parts of documents) within 30 days from the date it receives the request. However, if a tax-exempt organization requires payment in advance, it is only required to provide the copies within 30 days from the date it receives payment. For rules relating to payment, see paragraph (d)(3) of this section. In the absence of evidence to the contrary, a request or payment that is mailed shall be deemed to be received by an organization 7 days after the date of the postmark. A request that is transmitted to the organization by electronic mail or facsimile shall be deemed received the day the request is transmitted successfully. If an organization requiring payment in advance receives a written request without payment or with an insufficient payment, the organization must, within 7 days from the date it receives the request, notify the requester of its prepayment policy and the amount due. A copy is deemed provided on the date of the postmark or private delivery mark (or if sent by certified or registered mail, the date of registration or the date of the postmark on the sender's receipt). If an individual making a request consents, a tax-exempt organization may provide a copy of the requested document exclusively by electronic mail. In such case, the material is provided on the date the organization successfully transmits the electronic mail.

(B) *Request/or a copy of parts of document.* A tax-exempt organization must fulfill a request for a copy of the organization's entire application for tax exemption or annual information return or any specific part

or schedule of its application or return. A request for a copy of less than the entire application or less than the entire return must specifically identify the requested part or schedule.

(C) *Agents for providing copies.* A tax-exempt organization subject to the requirements of this section may retain an agent to process written requests for copies of its documents. The agent shall provide the copies within the time limits and under the conditions that apply to the organization itself. For example, if the organization received the request first (e.g., before the agent), the deadline for providing a copy in response to a request shall be determined by reference to when the organization received the request, not when the agent received the request. An organization that transfers a request for a copy to such an agent is not required to respond further to the request. If the organization's agent fails to provide the documents as required under section 6104(d), however, the penalty provisions of sections 6652(c)(1)(C), 6652(c)(1)(D), and 6685 continue to apply to the tax-exempt organization.

(3) *Fees for copies -*

(i) *In general a tax-exempt organization may charge a reasonable fee for providing copies.* A fee is reasonable only if it is no more than the total of the applicable per-page copying charge prescribed by the fee schedule promulgated pursuant to section (a)(4)(A)(i) of the Freedom of Information Act, 5 U.S.C. 552, by the Commissioner from time to time, and the actual postage costs incurred by the organization to send the copies. The applicable per-page copying charge shall be determined without regard to any applicable fee exclusion provided in the fee schedule for an initial or *de minimis* number of pages (e.g., the first 100 pages). Before the organization provides the documents, it may require that the individual requesting copies of the documents pay the fee. If the organization has provided an individual making a request with notice of the fee, and the individual does not pay the fee within 30 days, or if the individual pays the fee by check and the check does not clear upon deposit, the organization may disregard the request.

(ii) *Form of payment -*

(A) *Request made in person.* If a tax-exempt organization charges a fee for copying (as permitted under paragraph (d)(3)(i) of this section), it shall accept payment by cash and money order for requests made in person. The organization may accept other forms of payment, such as credit cards and personal checks.

(B) *Request made in writing.* If a tax-exempt organization charges a fee for copying and postage (as permitted under paragraph (d)(3)(i) of this section), it shall accept payment by certified check, money order, and either personal check or credit card for requests made in writing. The organization may accept other forms of payment.

(iii) *Avoidance of unexpected fees.* Where a tax-exempt organization does not require prepayment and a requester does not enclose payment with a request, an organization must receive consent from a requester before providing copies for which the fee charged for copying and postage exceeds \$20.

(iv) *Responding to inquiries of fees charged.* In order to facilitate a requester's ability to receive copies promptly, a tax-exempt organization shall respond to any questions from potential requesters concerning its fees for copying and postage. For example, the organization shall inform the requester of its charge for copying and mailing its application for exemption and each annual information return, with and without attachments, so that a requester may include payment with the request for copies.

(e) *Documents to be provided by regional and district offices.* Except as otherwise provided, a regional or district office of a tax-exempt organization must satisfy the same rules as the principal office with respect to allowing public inspection and providing copies of its application for tax exemption and annual information returns. A regional or district office is not required, however, to make its annual information return available for inspection or to provide copies until 30 days after the date the return is required to be

filed (including any extension of time that is granted for filing such return) or is actually filed, whichever is later.

*(f) Documents to be provided by local and subordinate organizations -*

*(1) Applications for tax exemption.* Except as otherwise provided, a tax-exempt organization that did not file its own application for tax exemption (because it is a local or subordinate organization covered by a group exemption letter referred to in § 1.508-1 of this chapter) must, upon request, make available for public inspection, or provide copies of, the application submitted to the Internal Revenue Service by the central or parent organization to obtain the group exemption letter and those documents which were submitted by the central or parent organization to include the local or subordinate organization in the group exemption letter. However, if the central or parent organization submits to the Internal Revenue Service a list or directory of local or subordinate organizations covered by the group exemption letter, the local or subordinate organization is required to provide only the application for the group exemption ruling and the pages of the list or directory that specifically refer to it. The local or subordinate organization shall permit public inspection, or comply with a request for copies made in person, within a reasonable amount of time (normally not more than 2 weeks) after receiving a request made in person for public inspection or copies and at a reasonable time of day. In a case where the requester seeks inspection, the local or subordinate organization may mail a copy of the applicable documents to the requester within the same time period in lieu of allowing an inspection. In such a case, the organization may charge the requester for copying and actual postage costs only if the requester consents to the charge. If the local or subordinate organization receives a written request for a copy of its application for tax exemption, it must fulfill the request in the time and manner specified in paragraph (d)(2) of this section. The requester has the option of requesting from the central or parent organization, at its principal office, inspection or copies of the application for group exemption and the material submitted by the central or parent organization to include a local or subordinate organization in the group ruling. If the central or parent organization submits to the Internal Revenue Service a list or directory of local or subordinate organizations covered by the group exemption letter, it must make such list or directory available for public inspection, but it is required to provide copies only of those pages of the list or directory that refer to particular local or subordinate organizations specified by the requester. The central or parent organization must fulfill such requests in the time and manner specified in paragraphs (c) and (d) of this section.

*(2) Annual information returns.* A local or subordinate organization that does not file its own annual information return (because it is affiliated with a central or parent organization that files a group return pursuant to § 1.6033-2(d) of this chapter) must, upon request, make available for public inspection, or provide copies of, the group returns filed by the central or parent organization. However, if the group return includes separate schedules with respect to each local or subordinate organization included in the group return, the local or subordinate organization receiving the request may omit any schedules relating only to other organizations included in the group return. The local or subordinate organization shall permit public inspection, or comply with a request for copies made in person, within a reasonable amount of time (normally not more than 2 weeks) after receiving a request made in person for public inspection or copies and at a reasonable time of day. In a case where the requester seeks inspection, the local or subordinate organization may mail a copy of the applicable documents to the requester within the same time period in lieu of allowing an inspection. In such a case, the organization may charge the requester for copying and actual postage costs only if the requester consents to the charge. If the local or subordinate organization receives a written request for a copy of its annual information return, it must fulfill the request by providing a copy of the group return in the time and manner specified in paragraph (d)(2) of this section. The requester has the option of requesting from the central or parent organization, at its principal office, inspection or copies of group returns filed by the central or parent organization. The central or parent organization must fulfill such requests in the time and manner specified in paragraphs (c) and (d) of this section.

(3) *Failure to comply.* If an organization fails to comply with the requirements specified in this paragraph, the penalty provisions of sections 6652(c)(1)(C), 6652(c)(1)(D), and 6685 apply.

(g) *Failure to comply with the public inspection or copying requirements.* If a tax-exempt organization denies an individual's request for inspection or a copy of an application for tax exemption or an annual information return as required under this section, and the individual wants to alert the Internal Revenue Service to the possible need for enforcement action, the individual may provide a statement to the district director for the key district in which the applicable tax-exempt organization's principal office is located (or such other person as the Commissioner may designate) that describes the reason why the individual believes the denial was in violation of the requirements of section 6104(d).

(h) *Effective date -*

(1) *In general.* For a tax-exempt organization, other than a private foundation, this section is applicable June 8, 1999. For a private foundation, this section is applicable (except as provided in paragraph (h)(£) of this section) beginning March 13, 2000.

(2) *Private foundation annual information returns.* This section does not apply to any private foundation return the due date for which (determined with regard to any extension ohime for filing) is before the applicable date for private foundations specified in paragraph (h)(l) of this section.

[T.D. 8818, 64 FR 17285, Apr. 9, 1999. Redesignated and amended by T.D. 8861, 65 FR 2033, 2034, Jan. 13, 2000, as amended by T.D. 9070, 68 FR 40769, July 9, 2003]

**ATTACHMENT F**

**IRS Form 8282**

*(next page)*

**Donee Information Return**  
 (Sale, Exchange, or Other Disposition of Donated Property)

▶ See instructions.

**Give a Copy to Donor**

**Parts To Complete**

- If the organization is an **original donee**, complete *Identifying Information*, Part I (lines 1a–1d and, if applicable, lines 2a–2d), and Part III.
- If the organization is a **successor donee**, complete *Identifying Information*, Part I, Part II, and Part III.

**Identifying Information**

<b>Print or Type</b>	Name of charitable organization (donee)	Employer identification number :
	Address (number, street, and room or suite no.) (or P.O. box no. if mail is not delivered to the street address)	
	City or town, state, and ZIP code	

**Part I Information on ORIGINAL DONOR and SUCCESSOR DONEE Receiving the Property**

<b>1a</b> Name of original donor of the property	<b>1b</b> Identifying number(s)
<b>1c</b> Address (number, street, and room or suite no.) (P.O. box no. if mail is not delivered to the street address)	
<b>1d</b> City or town, state, and ZIP code	

**Note.** Complete lines 2a–2d only if the organization gave this property to another charitable organization (successor donee).

<b>2a</b> Name of charitable organization	<b>2b</b> Employer identification number :
<b>2c</b> Address (number, street, and room or suite no.) (or P.O. box no. if mail is not delivered to the street address)	
<b>2d</b> City or town, state, and ZIP code	

**Part II Information on PREVIOUS DONEES. Complete this part only if the organization was not the first donee to receive the property. See the instructions before completing lines 3a through 4d.**

<b>3a</b> Name of original donee	<b>3b</b> Employer identification number :
<b>3c</b> Address (number, street, and room or suite no.) (or P.O. box no. if mail is not delivered to the street address)	
<b>3d</b> City or town, state, and ZIP code	
<b>4a</b> Name of preceding donee	<b>4b</b> Employer identification number :
<b>4c</b> Address (number, street, and room or suite no.) (or P.O. box no. if mail is not delivered to the street address)	
<b>4d</b> City or town, state, and ZIP code	

**Part III Information on DONATED PROPERTY**

	1. Description of the donated property sold, exchanged, or otherwise disposed of and how the organization used the property. (If you need more space, attach a separate statement.)	2. Did the disposition involve the organization's entire interest in the property?		3. Was the use related to the organization's exempt purpose or function?		4. Information on use of property. <ul style="list-style-type: none"> <li>• If you answered "Yes" to question 3 and the property was tangible personal property, describe how the organization's use of the property furthered its exempt purpose or function. Also complete Part IV below.</li> <li>• If you answered "No" to question 3 and the property was tangible personal property, describe the organization's intended use (if any) at the time of the contribution. Also complete Part IV below, if the intended use at the time of the contribution was related to the organization's exempt purpose or function and it became impossible or infeasible to implement.</li> </ul>
		Yes	No	Yes	No	
<b>A</b>						
<b>B</b>						
<b>C</b>						
<b>D</b>						

		Donated Property			
		A	B	C	D
<b>5</b>	Date the organization received the donated property (MM/DD/YY)	/ /	/ /	/ /	/ /
<b>6</b>	Date the original donee received the property (MM/DD/YY)	/ /	/ /	/ /	/ /
<b>7</b>	Date the property was sold, exchanged, or otherwise disposed of (MM/DD/YY)	/ /	/ /	/ /	/ /
<b>8</b>	Amount received upon disposition	\$	\$	\$	\$

**Part IV Certification**

You must sign the certification below if any property described in Part III above is tangible personal property and:

- You answered "Yes" to question 3 above, or
- You answered "No" to question 3 above and the intended use of the property became impossible or infeasible to implement.

Under penalties of perjury and the penalty under section 6720B, I certify that either: (1) the use of the property that meets the above requirements, and is described above in Part III, was substantial and related to the donee organization's exempt purpose or function; or (2) the donee organization intended to use the property for its exempt purpose or function, but the intended use has become impossible or infeasible to implement.

Signature of officer \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**Sign Here** 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.

Signature of officer \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Type or print name \_\_\_\_\_

## General Instructions

Section references are to the Internal Revenue Code.

### Purpose of Form

Donee organizations use Form 8282 to report information to the IRS and donors about dispositions of certain charitable deduction property made within 3 years after the donor contributed the property.

### Definitions



For Form 8282 and these instructions, the term "donee" includes all donees, unless specific reference is made to "original" or "successor" donees.

**Original donee.** The first donee to or for which the donor gave the property. The original donee is required to sign Form 8283, Noncash Charitable Contributions, Section B, Donated Property Over \$5,000 (Except Certain Publicly Traded Securities), presented by the donor for charitable deduction property.

**Successor donee.** Any donee of property other than the original donee.

**Charitable deduction property.** Any donated property (other than money and publicly traded securities) if the claimed value exceeds \$5,000 per item or group of similar items donated by the donor to one or more donee organizations. This is the property listed in Section B on Form 8283.

### Who Must File

Original and successor donee organizations must file Form 8282 if they sell, exchange, consume, or otherwise dispose of (with or without consideration) charitable deduction property (or any portion) within 3 years after the date the original donee received the property. See *Charitable deduction property* above.

If the organization sold, exchanged, or otherwise disposed of motor vehicles, airplanes, or boats, see Pub. 526, Charitable Contributions.

**Exceptions.** There are two situations where Form 8282 does not have to be filed.

**1. Items valued at \$500 or less.** The organization does not have to file Form 8282 if, at the time the original donee signed Section B of Form 8283, the donor had signed a statement on Form 8283 that the appraised value of the specific item was not more than \$500. If Form 8283 contains more than one item, this exception applies only to those items that are clearly identified as having a value of \$500 or less. However, for purposes of the donor's determination of whether the appraised value of the item exceeds \$500, all shares of nonpublicly traded stock, or items that form a set, are considered one item. For example, a collection of books written by the same

author, components of a stereo system, or six place settings of a pattern of silverware are considered one item.

**2. Items consumed or distributed for charitable purpose.** The organization does not have to file Form 8282 if an item is consumed or distributed, without consideration, in fulfilling your purpose or function as a tax-exempt organization. For example, no reporting is required for medical supplies consumed or distributed by a tax-exempt relief organization in aiding disaster victims.

### When To File

If the organization disposes of charitable deduction property within 3 years of the date the original donee received it and the organization does not meet exception 1 or 2 above, the organization must file Form 8282 within 125 days after the date of disposition.

**Exception.** If the organization did not file because it had no reason to believe the substantiation requirements applied to the donor, but the organization later becomes aware that the substantiation requirements did apply, the organization must file Form 8282 within 60 days after the date it becomes aware it was liable. For example, this exception would apply where Section B of Form 8283 is furnished to a successor donee after the date that donee disposes of the charitable deduction property.

**Missing information.** If Form 8282 is filed by the due date, enter the organization's name, address, and employer identification number (EIN) and complete at least Part III, columns 1, 2, 3, and 4; and Part IV. The organization does not have to complete the remaining items if the information is not available. For example, the organization may not have the information necessary to complete all entries if the donor did not make Section B of Form 8283 available.

### Where To File

Send Form 8282 to the Department of Treasury, Internal Revenue Service Center, Ogden, UT 84201-0027.

### Other Requirements

**Information the organization must give a successor donee.** If the property is transferred to another charitable organization within the 3-year period discussed earlier, the organization must give the successor donee all of the following information.

1. The name, address, and EIN of the organization.
2. A copy of Section B of Form 8283 that the organization received from the donor or a preceding donee. The preceding donee is the one who gave the organization the property.
3. A copy of this Form 8282, within 15 days after the organization files it.

The organization must furnish items 1 and 2 above within 15 days after the latest of the date:

- The organization transferred the property,
- The original donee signed Section B of Form 8283, or
- The organization received a copy of Section B of Form 8283 from the preceding donee if the organization is also a successor donee.

**Information the successor donee must give the organization.** The successor donee organization to whom the organization transferred this property is required to give the organization its name, address, and EIN within 15 days after the later of:

- The date the organization transferred the property, or
- The date the successor donee received a copy of Section B of Form 8283.

**Information the organization must give the donor.** The organization must give a copy of Form 8282 to the original donor of the property.

**Recordkeeping.** The organization must keep a copy of Section B of Form 8283 in its records.

### Penalties

**Failure to file penalty.** The organization may be subject to a penalty if it fails to file this form by the due date, fails to include all of the information required to be shown on the filed form, or includes incorrect information on the filed form. The penalty is generally \$50 per form. For more details, see section 6721 and 6724.

**Fraudulent identification of exempt use property.** A \$10,000 penalty may apply to any person who identifies in Part III tangible personal property the organization sold, exchanged, or otherwise disposed of, as having a use that is related to a purpose or function knowing that such property was not intended for such a use. For more details, see section 6720B.

## Specific Instructions

### Part I

**Line 1a.** Enter the name of the original donor.

**Line 1b.** The donor's identifying number may be either an employer identification number or a social security number, and should be the same number provided on page 2 of Form 8283.

**Line 1c and 1d.** Enter the last known address of the original donor.

**Lines 2a–2d.** Complete these lines if the organization gave the property to another charitable organization successor donee (defined earlier). If the organization is an original donee, skip Part II and go to Part III.

**Part II**

Complete Part II only if the organization is a successor donee. If the organization is the original donee, do not complete any lines in Part II; go directly to Part III.

If the organization is the **second donee**, complete lines 3a through 3d. If the organization is the **third or later donee**, complete lines 3a through 4d. On lines 4a through 4d, give information on the preceding donee.

**Part III**

**Column 1.** For charitable deduction property that the organization sold, exchanged, or otherwise disposed of within 3 years of the original contribution, describe each item in detail. For a motor vehicle, include the vehicle identification number. For a boat, include the hull identification number. For an airplane, include the aircraft identification number. Additionally, for the period of time the organization owned the property, explain how it was used. If additional space is needed, attach a statement.

**Column 3.** Check "Yes" if the organization's use of the charitable deduction property was related to its exempt purpose or function. Check "No" if the organization sold, exchanged, or otherwise disposed of the property without using it.

**Signature**

Form 8282 is not valid unless it is signed by an officer of the organization. Be sure to include the title of the person signing the form and the date the form was signed.

**How To Get Tax Help**

**Internet**

You can access the IRS website 24 hours a day, 7 days a week at [www.irs.gov/eo](http://www.irs.gov/eo) to:

- Download forms, instructions, and publications;
- Order IRS products online;
- Research your tax questions online;
- Search publications online by topic or keyword;

- View Internal Revenue Bulletins (IRBs) published in the last few years; and
- Sign up to receive local and national tax news by email. To subscribe, visit [www.irs.gov/eo](http://www.irs.gov/eo).

**DVD**

You can order Publication 1796, IRS Tax Products DVD, and obtain:

- Current-year forms, instructions, and publications.
- Prior-year forms, instructions, and publications.
- Tax Map: an electronic research tool and finding aid.
- Tax law frequently asked questions.
- Tax topics from the IRS telephone response system.
- Fill-in, print, and save features for most tax forms.
- IRBs.
- Toll-free and email technical support.
- Two releases during the year.

Purchase the DVD from National Technical Information Service (NTIS) at [www.irs.gov/cdorders](http://www.irs.gov/cdorders) for \$30 (no handling fee) or call **1-877-CDFORMS** (1-877-233-6767) toll-free to buy the DVD for \$30 (plus a \$6 handling fee). Price is subject to change.

**By Phone**

You can order forms and publications by calling 1-800-TAX-FORM (1-800-829-3676). You can also get most forms and publications at your local IRS office. If you have questions and/or need help completing this form, please call 1-877-829-5500. This toll free telephone service is available Monday thru Friday.

**Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete this form will vary depending on individual circumstances. The estimated average time is:

- Recordkeeping** . . . . 3 hr., 35 min.
- Learning about the law or the form** . . . . 12 min.
- Preparing and sending the form to the IRS** . . . . 15 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the form to this address. Instead, see *Where To File* on page 3.

**ATTACHMENT G**

**IRS Form 8283**

*(next page)*

# Noncash Charitable Contributions

▶ Attach to your tax return if you claimed a total deduction of over \$500 for all contributed property.

▶ Information about Form 8283 and its separate instructions is at [www.irs.gov/form8283](http://www.irs.gov/form8283).

OMB No. 1545-0908

Attachment Sequence No. **155**

Name(s) shown on your income tax return

Identifying number

**Note.** Figure the amount of your contribution deduction before completing this form. See your tax return instructions.

**Section A. Donated Property of \$5,000 or Less and Publicly Traded Securities**—List in this section **only** items (or groups of similar items) for which you claimed a deduction of \$5,000 or less. Also list publicly traded securities even if the deduction is more than \$5,000 (see instructions).

**Part I Information on Donated Property**—If you need more space, attach a statement.

1	(a) Name and address of the donee organization	(b) If donated property is a vehicle (see instructions), check the box. Also enter the vehicle identification number (unless Form 1098-C is attached).	(c) Description of donated property (For a vehicle, enter the year, make, model, and mileage. For securities, enter the company name and the number of shares.)
A		<input type="checkbox"/>	
B		<input type="checkbox"/>	
C		<input type="checkbox"/>	
D		<input type="checkbox"/>	
E		<input type="checkbox"/>	

**Note.** If the amount you claimed as a deduction for an item is \$500 or less, you do not have to complete columns (e), (f), and (g).

	(d) Date of the contribution	(e) Date acquired by donor (mo., yr.)	(f) How acquired by donor	(g) Donor's cost or adjusted basis	(h) Fair market value (see instructions)	(i) Method used to determine the fair market value
A						
B						
C						
D						
E						

**Part II Partial Interests and Restricted Use Property**—Complete lines 2a through 2e if you gave less than an entire interest in a property listed in Part I. Complete lines 3a through 3c if conditions were placed on a contribution listed in Part I; also attach the required statement (see instructions).

**2a** Enter the letter from Part I that identifies the property for which you gave less than an entire interest ▶ \_\_\_\_\_  
 If Part II applies to more than one property, attach a separate statement.

**b** Total amount claimed as a deduction for the property listed in Part I: **(1)** For this tax year ▶ \_\_\_\_\_  
**(2)** For any prior tax years ▶ \_\_\_\_\_

**c** Name and address of each organization to which any such contribution was made in a prior year (complete only if different from the donee organization above):  
 Name of charitable organization (donee) \_\_\_\_\_

Address (number, street, and room or suite no.) \_\_\_\_\_

City or town, state, and ZIP code \_\_\_\_\_

**d** For tangible property, enter the place where the property is located or kept ▶ \_\_\_\_\_

**e** Name of any person, other than the donee organization, having actual possession of the property ▶ \_\_\_\_\_

	Yes	No
<b>3a</b> Is there a restriction, either temporary or permanent, on the donee's right to use or dispose of the donated property? . . . . .		
<b>b</b> Did you give to anyone (other than the donee organization or another organization participating with the donee organization in cooperative fundraising) the right to the income from the donated property or to the possession of the property, including the right to vote donated securities, to acquire the property by purchase or otherwise, or to designate the person having such income, possession, or right to acquire? . . . . .		
<b>c</b> Is there a restriction limiting the donated property for a particular use? . . . . .		

Name(s) shown on your income tax return

Identifying number

Section B. Donated Property Over \$5,000 (Except Publicly Traded Securities) — Complete this section for one item (or one group of similar items) for which you claimed a deduction of more than \$5,000 per item or group (except contributions of publicly traded securities reported in Section A). Provide a separate form for each property donated unless it is part of a group of similar items. An appraisal is generally required for property listed in Section B. See instructions.

Part I Information on Donated Property — To be completed by the taxpayer and/or the appraiser.

4 Check the box that describes the type of property donated:

- a Art\* (contribution of \$20,000 or more)
b Qualified Conservation Contribution
c Equipment
d Art\* (contribution of less than \$20,000)
e Other Real Estate
f Securities
g Collectibles\*\*
h Intellectual Property
i Vehicles
j Other

\*Art includes paintings, sculptures, watercolors, prints, drawings, ceramics, antiques, decorative arts, textiles, carpets, silver, rare manuscripts, historical memorabilia, and other similar objects.

\*\*Collectibles include coins, stamps, books, gems, jewelry, sports memorabilia, dolls, etc., but not art as defined above.

Note. In certain cases, you must attach a qualified appraisal of the property. See instructions.

Table with 5 main rows (A-D) and 7 columns: (a) Description of donated property, (b) Physical condition summary, (c) Appraised fair market value, (d) Date acquired, (e) How acquired, (f) Donor's cost, (g) Bargain sales amount, (h) Amount claimed as deduction, (i) Date of contribution.

Part II Taxpayer (Donor) Statement — List each item included in Part I above that the appraisal identifies as having a value of \$500 or less. See instructions.

I declare that the following item(s) included in Part I above has to the best of my knowledge and belief an appraised value of not more than \$500 (per item). Enter identifying letter from Part I and describe the specific item. See instructions.

Signature of taxpayer (donor)

Date

Part III Declaration of Appraiser

I declare that I am not the donor, the donee, a party to the transaction in which the donor acquired the property, employed by, or related to any of the foregoing persons, or married to any person who is related to any of the foregoing persons. And, if regularly used by the donor, donee, or party to the transaction, I performed the majority of my appraisals during my tax year for other persons.

Also, I declare that I perform appraisals on a regular basis; and that because of my qualifications as described in the appraisal, I am qualified to make appraisals of the type of property being valued. I certify that the appraisal fees were not based on a percentage of the appraised property value. Furthermore, I understand that a false or fraudulent overstatement of the property value as described in the qualified appraisal or this Form 8283 may subject me to the penalty under section 6701(a) (aiding and abetting the understatement of tax liability). In addition, I understand that I may be subject to a penalty under section 6695A if I know, or reasonably should know, that my appraisal is to be used in connection with a return or claim for refund and a substantial or gross valuation misstatement results from my appraisal. I affirm that I have not been barred from presenting evidence or testimony by the Office of Professional Responsibility.

Sign

Here

Signature

Title

Date

Business address (including room or suite no.)

Identifying number

City or town, state, and ZIP code

Part IV Donee Acknowledgment — To be completed by the charitable organization.

This charitable organization acknowledges that it is a qualified organization under section 170(c) and that it received the donated property as described in Section B, Part I, above on the following date

Furthermore, this organization affirms that in the event it sells, exchanges, or otherwise disposes of the property described in Section B, Part I (or any portion thereof) within 3 years after the date of receipt, it will file Form 8282, Donee Information Return, with the IRS and give the donor a copy of that form. This acknowledgment does not represent agreement with the claimed fair market value.

Does the organization intend to use the property for an unrelated use? Yes No

Name of charitable organization (donee)

Employer identification number

Address (number, street, and room or suite no.)

City or town, state, and ZIP code

Authorized signature

Title

Date