



## Inspector General Insights (From the Clerk's July 2022 Newsletter)

**Background:** In the Clerk's July 2022 newsletter, a constituent had posed the question, "Does your office audit not-for-profit organizations?"

**Objective:** To advise residents of the Clerk's role as it relates to not-for-profit organizations, and to inform of a local ordinance related to the registration of such organizations.

**Response:** The Clerk may audit or review Not-For-Profit (NFP) entities operating in Collier County, especially as it relates to those entities having business with the Board of County Commissioners (BCC).

For example, if a NFP applies for a County grant, the Clerk has broad powers to review documentation submitted, including supporting books and records, to substantiate a funding request. Additionally, if a NFP is raising funds on behalf of a County program or County property, or on a County property, the Clerk may also review the activities of the NFP. As with any County vendor or concessionaire, the Clerk has the right to audit the activities of any party providing County services or collecting funds on behalf of the County.

**Local Ordinance Provisions:** [Collier County Ordinance 2012-01](#) provides for additional safeguards when there are public solicitations of contributions within the County, including applications and forms to be filed with the Clerk's office.

In researching the history of this ordinance, the primary concern discussed at the time the ordinance was enacted, was to validate the NFP's required registration with the State of Florida for the benefit of the residents. Given the ready availability of such information online since the ordinance was enacted, the Clerk's office had only enforced the ordinance as exceptions became known.

**Actions:** Due to the number of complaints filed with the OIG regarding not-for-profit entities, and resulting prosecutions, these documents are now being actively reviewed by the OIG's Public Integrity Unit. Those charities seeking government funding, or those conducting business with the County, will be reviewed with priority.

In 2022, the Clerk's Office of Inspector General (OIG) reviewed the activities of five not-for-profit entities who had dealings with Collier County. The activities of one of those entities led to an official investigation resulting in arrests and prosecution.

In 2021, the OIG reviewed the activities of a not-for-profit entity seeking COVID-related funding. The 2021 case was referred to law enforcement for prosecution. As of the end of 2022, this case was still pending.

**Conclusion:** Residents are encouraged to verify a charity's tax-exempt status at the IRS [Tax Exempt Organization Search](#) before donating goods, services or money. They are also advised to review filings at the Florida Department of Agriculture and Consumer Services at [fdacs.gov Charities](#) or 1(800) HELP-FLA to check the legitimacy of a charity, or to see if there are any complaints recorded.

Should you have concerns about a charity or Not-For-Profit entity soliciting funds in Collier County, you may also contact the Clerk's Office of Inspector General locally at 239-252-8412, or use our confidential hotline 24/7 at 844-253-7544 (844-ClerkIG). You may a report online using [this link](#).

Total # Entities Reviewed	County Funds Pursued	Questioned Costs	Taxpayer Savings	# Referrals to Law Enforcement
6	\$ 575,000.00	\$ 575,000.00	\$ 575,000.00	2