



CONTROLLER'S OFFICE

COUNTY OF BUCKS

Administration Building
55 East Court Street, Doylestown, PA 18901-4318
(215) 348-6435 • Fax (215) 348-6107

March 28, 2018

Commissioner Robert G. Loughery, Chairman
County of Bucks
Commissioners' Office
55 East Court Street
Doylestown, PA 18901

Re: Audit of Denton Kanouff, Former New Hope Borough Tax Collector

Dear Chairman Loughery:

Enclosed is the report for the audit of the Settlement of Duplicates for the Bucks County real estate taxes of the Former New Hope Borough Tax Collector, Denton Kanouff, for the tax years ended January 16, 2018, January 15, 2017 and January 15, 2016. The January dates reflect the settlement dates for the three tax years included in the audit period. The section of the report titled Report to Management includes our findings and recommendations.

As a notation to this audit, Denton Kanouff ended his term as the New Hope Borough Tax Collector on December 31, 2017. In accordance with the *Tax Collector's Manual*, the Tax Collector remains responsible for any duplicates and, if applicable, interim adjustments in his possession until the January 16, 2018 settlement date.

This examination was made in order to ascertain that Bucks County real estate tax collections were properly processed, that adequate and accurate financial records were maintained by the Tax Collector to reflect compliance to the *Tax Collector's Manual*, the *Local Tax Collection Law* and County policies and that the said collections were properly forwarded to the County. The audit was conducted in accordance with U.S. generally accepted auditing standards and included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

We express our appreciation for the courtesies extended to our auditors and acknowledge the cooperative assistance we received from the Tax Collector.

Should you have any questions regarding this audit, please call us at (215) 348-6556 between 7:00 a.m. and 5:00 p.m.

Sincerely,

Neale Dougherty
Bucks County Controller

18-02
ND/mkw

cc: Denton Kanouff, Former New Hope Borough Tax Collector
Brian Henthaller, CPA, Chief Operating Officer, Commissioners' Office, County of Bucks
David P. Boscola, Director, Finance Department, County of Bucks

COUNTY OF BUCKS
DENTON KANOUFF
NEW HOPE BOROUGH TAX COLLECTOR
For the Period
January 16, 2015 through January 16, 2018
(Tax Years 2015, 2016 and 2017)

County of Bucks
Denton Kanouff
New Hope Borough Tax Collector
For the Period January 16, 2015 through January 16, 2018

TABLE OF CONTENTS

	Page(s)
<hr/> INDEPENDENT AUDITORS' REPORT <hr/>	1-2
SPECIAL-PURPOSE STATEMENTS:	
Settlement of Duplicate – For the Tax Year Ended January 16, 2018 (Cash Basis)	3
Settlement of Duplicate – For the Tax Year Ended January 15, 2017 (Cash Basis)	4
Settlement of Duplicate – For the Tax Year Ended January 15, 2016 (Cash Basis)	5
Note to the Settlement of Duplicates	6-7
<hr/> REPORT ON SIGNIFICANT DEFICIENCIES AND MATERIAL WEAKNESSES <hr/>	8-9
REPORT TO MANAGEMENT:	
Cover Letter	10-11
Findings and Recommendations	12-14
SUMMARY OF THE EXIT CONFERENCE	15



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INDEPENDENT AUDITORS' REPORT

To Commissioner Robert G. Loughery, Chairman
County of Bucks
Commissioners' Office
55 East Court Street
Doylestown, PA 18901

We have audited the accompanying Settlement of Duplicates – cash basis, applicable to Bucks County (County) real estate taxes of the New Hope Borough Tax Collector (Tax Collector), for the tax years ended January 16, 2018, January 15, 2017 and January 15, 2016, and the related note to the Settlement of Duplicates.

Management's Responsibility for the Settlement of Duplicates

The Tax Collector is responsible for the preparation and fair presentation of the Monthly Report to Taxing Districts (MRTD) sheets, which are the basis for the preparation of the Settlement of Duplicates in accordance with the cash basis of accounting described in Note 1.D. This includes determining that the cash basis of accounting is an acceptable basis for the preparation of the Settlement of Duplicates in the circumstances. The Tax Collector is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the Settlement of Duplicates that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the Settlement of Duplicates based on our audit. We conducted our audit in accordance with U.S. generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the Settlement of Duplicates are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the Settlement of Duplicates. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the Settlement of Duplicates, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Tax Collector's preparation and fair presentation of the Settlement of Duplicates in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Tax Collector's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by the Tax Collector, if any, as well as evaluating the overall presentation of the Settlement of Duplicates.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Continued...

Opinion

In our opinion, the Settlement of Duplicates referred to in the first paragraph present fairly, in all material respects, the total amount the Tax Collector is responsible to collect and the total amount reported by the Tax Collector, for the tax years ended January 16, 2018, January 15, 2017 and January 15, 2016, in accordance with the cash basis of accounting as described in Note 1.D.

Emphasis of Matter and Basis of Accounting

We draw attention to Note 1.C. to the Settlement of Duplicates, which describes that the settlement is prepared to present a reconciliation between the amount of County real estate taxes the Tax Collector is responsible to collect and the reported collection, liened and non-lienable amounts, and is not intended to be a complete presentation of the Tax Collector's financial activities. The County has accepted the Settlement of Duplicate format as a means for presenting this reconciliation.

We also draw attention to Note 1.D. to the Settlement of Duplicates, which describes the basis of accounting. The Settlement of Duplicates are prepared on the cash basis of accounting, which is a basis of accounting other than U.S. generally accepted accounting principles.

Our opinion is not modified with respect to either matter.

Restriction on Use

This report is intended solely for the information and use of the Tax Collector and the County. This restriction is not intended to limit the distribution of this report, which is a matter of public record.



Kimberly S. Doran, CPA, Bucks County Deputy Controller
Doylestown, Pennsylvania

March 14, 2018
18-02

County of Bucks
New Hope Borough Tax Collector

Settlement of Duplicate
For the Tax Year Ended January 16, 2018
Tax Year 2017
(Cash Basis)

Amount the Tax Collector is Responsible to Collect

Amount to be Collected in Current Year:

Total Carried Forward from Prior Year	\$	349
2017 Tax Year - Tax Duplicate		1,393,258
2017 Tax Year - Interim Billings/Adjustments		9,660
2016 Tax Year - Interim Billings/Adjustments		<u>390</u>
Total Amount the Tax Collector is Responsible to Collect	\$	<u>1,403,657</u>

Amount Reported by Tax Collector

Amount Collected from Taxpayers as Reported to the County	\$	1,356,671
Add: Discounts taken by Taxpayers		24,312
Less: Penalties paid by Taxpayers		<u>(4,088)</u>
Amount Collected at Face Value of Tax Bills	\$	1,376,895
Unpaid Taxes to be Liened as Reported to the County:		
2017 Tax Year - Tax Duplicate and Interim Billings/Adjustments		<u>26,762</u>
Total Unpaid Taxes before Lien Removals		26,762
Less: Lien Removals from January 17, 2018 to March 14, 2018		<u>(-)</u>
Net Unpaid Taxes to be Liened as Reported to the County		26,762
Less: Refunds at Face Value made by Finance Department from January 16, 2017 to March 14, 2018		(-)
Total Non-Lienables Carried Forward		<u>-</u>
Total Amount Reported by Tax Collector	\$	<u>1,403,657</u>
Variance - Net Amount Under/(Over) Reported to the County	\$	<u>-</u>

See Note to the Settlement of Duplicates.

County of Bucks
New Hope Borough Tax Collector

Settlement of Duplicate
For the Tax Year Ended January 15, 2017
Tax Year 2016
(Cash Basis)

Amount the Tax Collector is Responsible to Collect

Amount to be Collected in Current Year:

2016 Tax Year - Tax Duplicate	\$ 1,386,573
2016 Tax Year - Interim Billings/Adjustments	3,249
2015 Tax Year - Interim Billings/Adjustments	<u>7</u>
Total Amount the Tax Collector is Responsible to Collect	<u>\$ 1,389,829</u>

Amount Reported by Tax Collector

Amount Collected from Taxpayers as Reported to the County	\$ 1,341,313	
Add: Discounts taken by Taxpayers	24,096	
Less: Penalties paid by Taxpayers	<u>(4,603)</u>	
Amount Collected at Face Value of Tax Bills		\$ 1,360,806
Unpaid Taxes to be Liened as Reported to the County:		
2016 Tax Year - Tax Duplicate and Interim Billings/Adjustments	<u>28,674</u>	
Total Unpaid Taxes before Lien Removals	28,674	
Less: Lien Removals from January 16, 2017 to March 14, 2018	<u>(-)</u>	
Net Unpaid Taxes to be Liened as Reported to the County		28,674
Less: Refunds at Face Value made by Finance Department from January 16, 2016 to March 14, 2018		(-)
Total Non-Lienables Carried Forward:		
2016 Tax Year - Interim Billings/Adjustments		<u>349</u>
Total Amount Reported by Tax Collector		<u>\$ 1,389,829</u>
Variance - Net Amount Under/(Over) Reported to the County		<u>\$ -</u>

See Note to the Settlement of Duplicates.

County of Bucks
New Hope Borough Tax Collector

Settlement of Duplicate
For the Tax Year Ended January 15, 2016
Tax Year 2015
(Cash Basis)

Amount the Tax Collector is Responsible to Collect

Amount to be Collected in Current Year:

Total Carried Forward from Prior Year	\$ 965
2015 Tax Year - Tax Duplicate	1,385,908
2015 Tax Year - Interim Billings/Adjustments	1,075
2014 Tax Year - Interim Billings/Adjustments	<u>662</u>

Total Amount the Tax Collector is Responsible to Collect \$ 1,388,610

Amount Reported by Tax Collector

Amount Collected from Taxpayers as Reported to the County	\$ 1,345,772	
Add: Discounts taken by Taxpayers	23,259	
Less: Penalties paid by Taxpayers	<u>(5,421)</u>	
Amount Collected at Face Value of Tax Bills		\$ 1,363,610
Unpaid Taxes to be Liened as Reported to the County:		
2015 Tax Year - Tax Duplicate and Interim Billings/Adjustments	<u>25,000</u>	
Total Unpaid Taxes before Lien Removals	25,000	
Less: Lien Removals from January 16, 2016 to March 14, 2018	<u>(-)</u>	
Net Unpaid Taxes to be Liened as Reported to the County		25,000
Less: Refunds at Face Value made by Finance Department from January 16, 2015 to March 14, 2018		(-)
Total Non-Lienables Carried Forward		<u>-</u>
Total Amount Reported by Tax Collector		<u>\$ 1,388,610</u>
Variance - Net Amount Under/(Over) Reported to the County		<u>\$ -</u>

See Note to the Settlement of Duplicates.

NOTE TO THE SETTLEMENT OF DUPLICATES

1. Summary of Significant Accounting Policies

The major accounting principles and practices followed by the Tax Collector and the County are presented below to assist the reader in understanding the Settlement of Duplicates. The accounting principles and practices are presented in conformity with a comprehensive basis of accounting other than U.S. generally accepted accounting principles.

A. Nature of Operations

The Tax Collector is an elected official designated to collect County real estate taxes as well as other taxes. In this jurisdiction, the Tax Collector is an elected official that serves a four (4) year term.

B. Reporting Entity

The accompanying Settlement of Duplicates are presented from only the financial transactions/records directly related to the County real estate taxes handled by the Tax Collector. The financial transactions consist primarily of real estate taxes collected, discounts taken and penalties paid. The Settlement of Duplicates do not present the financial activities of the Tax Collector or the County taken as a whole.

C. Basis of Presentation

The County requires Tax Collectors to settle County real estate taxes on or before January 15th (or by the next business day if the 15th falls on a weekend or legal holiday) of the succeeding year. As such, the County accepted the Settlement of Duplicate format to reflect the activities associated with the settlement of County real estate tax duplicates in the Tax Collector's possession during the period under audit. Specifically, the Settlement of Duplicate presents a reconciliation between the amount of County real estate taxes the Tax Collector is responsible to collect and the collection, liened and non-lienable amounts reported by the Tax Collector.

Section 25 (Collection and Payment Over of Taxes) of the *Local Tax Collection Law* requires the Tax Collector to report the monthly real estate tax activities to the County on a standardized form commonly known as the MRTD sheet. Except for the "Refunds at Face Value made by Finance Department" amount, the amounts presented under the "Amount Reported by Tax Collector" section of the Settlement of Duplicate is an accumulation of information reported on the MRTD sheets for the given tax year.

D. Basis of Accounting

The Tax Collector prepares the required MRTD sheets in accordance with the financial reporting provisions prescribed by the Pennsylvania Department of Community and Economic Development, which is essentially the cash basis of accounting. Since the accompanying Settlement of Duplicates are primarily summaries of amounts reported on the MRTD sheets for the given tax years, the Settlement of Duplicates are prepared and presented on the same basis. Under the cash basis, the only asset recognized is cash, and no liabilities are recognized. Unless otherwise noted, the County portion of

Continued...

NOTE TO THE SETTLEMENT OF DUPLICATES

1. Summary of Significant Accounting Policies (Continued)

D. Basis of Accounting (Continued)

the real estate tax revenue collected and disbursed by the Tax Collector during a given tax year is presented on the accompanying Settlement of Duplicates as the "Amount Collected from Taxpayers as Reported to the County". The cash basis differs from U.S. generally accepted accounting principles primarily because the effects of accounts receivable and accounts payable are not reflected in the accompanying Settlement of Duplicates. The cash basis of accounting is an acceptable basis of accounting for the Settlement of Duplicates.

E. Amount to be Collected

Upon successful settlement of a prior year tax duplicate, on February 1st of each year the County issues to the Tax Collector the current year's tax duplicate, which represents County real estate taxes to be collected. In addition to the tax duplicate, the County may issue, throughout the year, interim billings/adjustments. Therefore, the total amount of County real estate taxes to be collected in a tax year is the tax duplicate amount plus and/or minus any interim billing/adjustment amounts.

F. Cash

Deposits in the banking institutions are insured by the Federal Deposit Insurance Corporation and/or are fully collateralized by a pledge or assignment of assets pursuant to Act No. 72 of the General Assembly.

G. Tax Duplicate and Interim Billings/Adjustments

The Tax Duplicate and Interim Billing/Adjustment amounts presented under the "Amount the Tax Collector is Responsible to Collect" on the accompanying Settlement of Duplicates represent the total tax duplicate plus and/or minus all applicable interim billings/adjustments issued for the period indicated.

H. Date of Management's Review

The Tax Collector has evaluated subsequent events through March 14, 2018, the date on which the Settlement of Duplicates were available to be issued. No events have taken place that affect the Settlement of Duplicates or require disclosure.

Denton Kanouff completed his term as the New Hope Borough Tax Collector on December 31, 2017.



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REPORT ON SIGNIFICANT DEFICIENCIES AND MATERIAL WEAKNESSES

To Commissioner Robert G. Loughery, Chairman
County of Bucks
Commissioners' Office
55 East Court Street
Doylestown, PA 18901

In planning and performing our audit of the Settlement of Duplicates, for the tax years ended January 16, 2018, January 15, 2017 and January 15, 2016, in accordance with U.S. generally accepted auditing standards, we considered the Tax Collector's internal control over the financial reporting (internal control) as a basis for designing auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the Settlement of Duplicates, but not for the purpose of expressing an opinion on the effectiveness of the Tax Collector's internal control. Accordingly, we do not express an opinion on the effectiveness of the Tax Collector's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. In addition, because of inherent limitations in internal control, including the possibility of management's override of controls, misstatements due to error or fraud may occur and not be detected by such controls. However, as discussed below, we identified certain deficiencies in internal control that we consider to be significant deficiencies.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the Tax Collector's Settlement of Duplicates will not be prevented, or detected and corrected, on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiencies described in F1. of the Internal Control and the Receipts Analysis sections of the Report to Management to be significant deficiencies.

The Tax Collector's written response to the findings identified in our audit and presented in the Report to Management was not subjected to the audit procedures applied in the audit of the Settlement of Duplicates and, accordingly, we express no opinion on it.

Continued...

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Kimberly S. Doran, CPA, Bucks County Deputy Controller
Doylestown, Pennsylvania

March 14, 2018
18-02

REPORT TO MANAGEMENT

COVER LETTER

We have audited the Settlement of Duplicates, applicable to County real estate taxes of the Tax Collector, for the tax years ended January 16, 2018, January 15, 2017 and January 15, 2016. Professional standards require that we provide the Tax Collector with information about our responsibilities under U.S. generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to the Tax Collector dated January 19, 2018. Professional standards also require that we communicate the following information related to our audit.

Audit Findings Overview

Qualitative Aspects of Accounting Practices

The Tax Collector is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Tax Collector are described in Note 1 to the Settlement of Duplicates. No new accounting policies were adopted and the application of existing policies was not changed during the audit period. We noted no transactions entered into by the Tax Collector during the audit period for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the Settlement of Duplicates in the proper period.

The Settlement of Duplicate disclosures are neutral, consistent and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with the Tax Collector in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. As a result of the audit procedures, we did not detect any misstatements that were not trivial applicable to the Settlement of Duplicates for the tax years ended January 16, 2018 and January 15, 2016. However, the Settlement of Duplicate section of the Report to Management provides details of the uncorrected misstatement to the Settlement of Duplicate for the tax year ended January 15, 2017. Management has determined that the effect of the uncorrected misstatement is immaterial, both individually and in the aggregate, to the Settlement of Duplicate taken as a whole for that tax year.

Disagreements with the Tax Collector

For purposes of this letter, a disagreement with the Tax Collector is a financial accounting, reporting or auditing matter, whether or not resolved to our satisfaction, that could be significant to the Settlement of Duplicates or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Continued...

New Hope Borough Tax Collector

REPORT TO MANAGEMENT

COVER LETTER

Representations from the Tax Collector

We have requested certain representations from the Tax Collector that are included in the management representation letter dated March 14, 2018.

Purpose

In reviewing this report, it is important to remember that this letter addresses those conditions that we believe should be brought to the attention of the Tax Collector, and accordingly, does not recite the many sound controls that presently exist. Furthermore, our suggestions should not be construed as a criticism of or a reflection on the integrity of the Tax Collector.

Report Distribution

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REPORT TO MANAGEMENT

FINDINGS AND RECOMMENDATIONS

Legend:

F – Finding

R – Recommendation

The Tax Collector's Office consisted of one (1) Tax Collector and one (1) Deputy Tax Collector.

During our audit, we became aware of significant deficiencies in internal control that have been identified as such in the separate report titled "Report on Significant Deficiencies and Material Weaknesses" dated March 14, 2018. The Internal Control and Receipts Analysis sections of the Report to Management detail the significant deficiencies noted in the Tax Collector's control environment and our recommendations for improvement. The Report to Management does not affect our "Independent Auditors' Report" dated March 14, 2018, on the Tax Collector's Settlement of Duplicates.

Internal Control

A review of the internal control environment disclosed the following:

- F1. A review of the financial transactions recorded and the procedures performed by the Tax Collector revealed that there was a general lack of segregation of duties among the authorization, execution and recording of the County real estate tax transactions and the related assets.
- R1. Although the small size of the office staff limits the extent of separation of duties, certain steps should be taken to separate incompatible duties. The basic premise to any internal control structure is that no one (1) individual should have access to both physical assets and the related accounting records or to all phases of a transaction.

Auditee's Response:

- F1. No Comment.

Receipts Analysis

As a part of the audit, we reviewed a sample of paid tax notices and deposits to determine whether payments were properly recorded and deposited intact and in a timely manner.

- F1. Our audit revealed that the Tax Collector did not stamp the tax notices with the date the payment was received. Instead, the Tax Collector often used the date that was indicated on the check or money order as the payment date. Consequently, we were unable to determine whether the Tax Collector processed and deposited County real estate tax payments by the next business day in 55% of the sixty-four (64) payments examined.
- R1. Since the Tax Collector is no longer in office, no recommendation is required.

Continued...

REPORT TO MANAGEMENT

FINDINGS AND RECOMMENDATIONS

Receipts Analysis (Continued)

Auditee's Response:

F1. No Comment.

Compliance

In order to determine whether the Tax Collector was in compliance with certain provisions of the *Tax Collector's Manual*, *Local Tax Collection Law* and County policies, we reviewed MRTD sheets, tax notices, disbursement practices and other appropriate documentation.

F1. An analysis of the February 2015 MRTD sheet submitted to the County disclosed that the Tax Collector accepted a prepayment of taxes applicable to the 2015 tax year in December 2014 based on the 2014 millage rates. As a result, the following conditions were noted:

- The acceptance of the prepayment of taxes is a violation of Section 31 of the *Local Tax Collection Law*, which prohibits a Tax Collector from collecting real estate taxes of any succeeding year before the settlement of the current year's taxes is complete, which occurred on January 15th.
- Since the payment was based on the prior year's millage rates, the Tax Collector effectively accepted a partial payment since the Borough increased its millage rate in 2015. This practice is also not in accordance with Section X of the *Tax Collector's Manual*, which prohibits the acceptance of partial payments unless previously authorized by the local taxing authorities. Neither the County nor the Borough has authorized the acceptance of partial payments in this taxing district.

R1. Since the Tax Collector is no longer in office, no recommendation is required.

Auditee's Response:

F1. I did get approval from the Co and Boro when the prepmts started several years prior.

Settlement of Duplicate

In order to determine whether the Settlement of Duplicates were accurately presented, we reviewed the MRTD sheets submitted to the Finance Department. The review included a verification of the cash collected, discounts taken, penalties paid and debit and credit interims including lienable and non-lienable amounts.

F1. During our analysis of the Settlement of Duplicate for the tax year ended January 15, 2017, it was disclosed that the Tax Collector accepted, processed and deposited a tax payment received after the December 31, 2016 cut-off date as a payment against 2016 real estate taxes. Since this payment was received after December 31st, the parcel should have been included in the liens filed at the Bucks County Tax Claim Bureau. Consequently, the acceptance of this payment resulted in an overstatement of the "Amount Collected from Taxpayers as Reported to the County" and an understatement of the "Total Unpaid Taxes before Lien Removals" in the amount of \$2,126.

Continued...

New Hope Borough Tax Collector

REPORT TO MANAGEMENT

FINDINGS AND RECOMMENDATIONS

Settlement of Duplicate (Continued)

R1. Since the net effect of these transactions is zero and the Tax Collector is no longer in office, no recommendation is required.

Auditee's Response:

F1. No Comment.

SUMMARY OF THE EXIT CONFERENCE

An exit conference was not held. The Tax Collector chose to respond by email, which was received on March 14, 2018.