



REPORT ON FINANCIAL STATEMENTS

DECEMBER 31, 2022



REPORT ON FINANCIAL STATEMENTS

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INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
of *Chautauqua County Land Bank Corporation*

Opinion

We have audited the accompanying financial statements of *Chautauqua County Land Bank Corporation*, a nonprofit organization and component unit of the County of Chautauqua, which comprise the statement of financial position as of December 31, 2022, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of *Chautauqua County Land Bank Corporation* as of December 31, 2022, and the changes in net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the *Chautauqua County Land Bank Corporation* and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about *Chautauqua County Land Bank Corporation's* ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit 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 **Chautauqua County Land Bank Corporation's** internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the **Chautauqua County Land Bank Corporation's** ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Report on Summarized Comparative Information

We have previously audited **Chautauqua County Land Bank Corporation's** 2021 financial statements, and we expressed an unmodified audit opinion on those audited financial statements in our report dated February 9, 2022. In our opinion, the summarized comparative information presented herein as of and for the year ended December 31, 2021, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated February 8, 2023 on our consideration of **Chautauqua County Land Bank Corporation's** internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of **Chautauqua County Land Bank Corporation's** internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering **Chautauqua County Land Bank Corporation's** internal control over financial reporting and compliance.

Other Reporting Required by New York State Public Authorities Law

In accordance with New York State Public Authorities Law, we have also issued our report dated February 8, 2023 on our consideration of **Chautauqua County Land Bank Corporation's** compliance with §2925(3)(f) of the New York State Public Authorities Law. The purpose of that report is to describe anything that came to our attention that caused us to believe **Chautauqua County Land Bank Corporation** failed to comply with the Land Bank's Investment Guidelines, the New York State Comptroller's Investment Guidelines, and §2925(3)(f) of the New York State Public Authorities Law.

Bysiek CPA, PLLC

**BYSIEK CPA, PLLC
FEBRUARY 8, 2023
OLEAN, NY 14760**

CHAUTAUQUA COUNTY LAND BANK CORPORATION
STATEMENTS OF FINANCIAL POSITION

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<i>As of December 31,</i>	<u>2022</u>	<u>2021</u>
Assets		
Current assets		
Cash and cash equivalents	\$ 376,398	\$ 593,354
Investments	500,000	507,840
Total current assets	<u>876,398</u>	<u>1,101,194</u>
Other assets		
Properties held for sale	488,734	368,989
Total assets	<u>\$ 1,365,132</u>	<u>\$ 1,470,183</u>
Liabilities and Net Assets		
Current liabilities		
Accounts payable and accrued expenses	\$ 640	\$ 15,640
Performance bond deposits	96,350	108,850
Deferred revenue	59,841	24,948
Total current liabilities	<u>156,831</u>	<u>149,438</u>
Net assets		
Without donor restrictions	1,208,301	1,320,745
Total liabilities and net assets	<u>\$ 1,365,132</u>	<u>\$ 1,470,183</u>

See independent auditor's report and accompanying notes to the financial statements

CHAUTAUQUA COUNTY LAND BANK CORPORATION
STATEMENTS OF ACTIVITIES

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For the Year Ended December 31,

	<u>2022</u>	<u>2021</u>
Revenue		
Grants	\$ 496,510	\$ 970,421
Property sales	27,025	5,050
Contributions	1,250	14,779
Interest income	185	812
Total revenue	<u>524,970</u>	<u>991,062</u>
Expenses		
Program services	476,728	509,444
Management and general	160,686	159,272
Total expenses	<u>637,414</u>	<u>668,716</u>
Change in net assets	(112,444)	322,346
Net assets, beginning of year	1,320,745	998,399
Net assets, end of year	<u>\$ 1,208,301</u>	<u>\$ 1,320,745</u>

See independent auditor's report and accompanying notes to the financial statements

CHAUTAUQUA COUNTY LAND BANK CORPORATION
STATEMENTS OF FUNCTIONAL EXPENSES

For the Year Ended December 31,

	2022			2021	
	Program Services	Management and General	Total	Total	
Property demolition and rehabilitation	\$ 356,710	\$ -	\$ 356,710	\$	326,812
Grant distributions	-	-	-	-	75,000
Salaries and wages	89,316	89,887	179,203	-	159,629
Payroll taxes	8,014	6,964	14,978	-	13,338
Employee benefits	5,588	6,110	11,698	-	14,357
Professional fees	2,317	35,515	37,832	-	49,451
Conferences and meetings	4,233	2,762	6,995	-	1,634
Office expenses	2,766	993	3,759	-	3,487
Advertising	-	4,700	4,700	-	8,160
Telephone and internet	2,570	2,028	4,598	-	4,231
Information technology	-	7,234	7,234	-	5,934
Rent	5,125	-	5,125	-	5,100
Insurance	55	2,715	2,770	-	1,248
Miscellaneous	33	1,779	1,812	-	335
	<u>\$ 476,728</u>	<u>\$ 160,686</u>	<u>\$ 637,414</u>	<u>\$</u>	<u>668,716</u>

See independent auditor's report and accompanying notes to the financial statements

<i>For the Year Ended December 31,</i>	<u>2022</u>	<u>2021</u>
Cash flows from operating activities:		
Change in net assets	\$ (112,444)	\$ 322,346
Adjustments to reconcile decrease in net assets to net cash provided by (used in) operating activities:		
Reinvested income	7,840	(810)
Changes in:		
Accounts receivable	-	21,111
Property held for resale	(119,745)	(147,317)
Prepaid expenses	-	13,763
Performance bonds payable	(12,500)	(20,083)
Deferred revenue	34,893	24,948
Accounts payable and accrued liabilities	(15,000)	14,652
Net cash provided by (used in) operating activities	<u>(216,956)</u>	<u>228,610</u>
Net change in cash	(216,956)	228,610
Cash at beginning of year	593,354	364,744
Cash at end of year	<u>\$ 376,398</u>	<u>\$ 593,354</u>

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES

A. Nature of Activities

The New York State Attorney General announced an initiative aimed at helping communities recover from the devastating effects of the foreclosure crisis. As a part of the Attorney General's Community Revitalization Initiative (CRI), the **Chautauqua County Land Bank Corporation (CCLBC)** was created in May of 2012 by the Chautauqua County Board of Legislators under the provisions of the New York Land Bank Act, under Section 402 of the New York Not-For-Profit Corporation Law.

B. Basis of Accounting

The financial statements of the Organization have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

C. Basis of Presentation

Financial statement presentation follows the recommendations of the Financial Accounting Standards Board in its Statement of Financial Accounting Standards Codification Topic 958, *Financial Statements of Not-for-Profit Organizations*. Under Topic 958, the Organization is required to report information regarding its financial position and activities according to two classes of net assets:

1) Net Assets Without Donor Restrictions

- Net assets that are not subject to any donor-imposed time or purpose restrictions and may be expended for any purpose in performing the primary objectives of the organization. These net assets may be used at the discretion of the Organization's management and the board of directors.

2) Net Assets With Donor Restrictions

- Net assets subject to stipulations imposed by donors and grantors. Some donor restrictions are temporary in nature; those restrictions will be met by actions of the Organization or by the passage of time. Other donor restrictions are perpetual in nature, whereby the donor has stipulated the funds be maintained in perpetuity. Donor restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets are reclassified from net assets with donor restrictions to net assets without donor restrictions in the accompanying financial statements.

D. Estimates

The preparation of financial statements in conformity with generally accepted accounting principles sometimes requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

E. Cash

For purposes of reporting cash flows, the Organization considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents.

F. Investments

In accordance with §2925(6) of the Public Authorities Law for New York State, Public Authorities, the Organization reported investments valued at approximately \$500,000 and \$507,000 as of December 31, 2022 or 2021, respectively. Investment policies are reviewed annually.

G. Concentrations of Credit Risk

The Organization maintains its accounts at a single financial institution. The Organization's cash balances may from time to time exceed Federal Deposit Insurance Corporation (FDIC) insurance limits. There were no uninsured amounts at December 31, 2022 and 2021.

H. Advertising

Advertising costs are expensed as incurred.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES (CONT)

I. Inventory (Properties Held for Resale)

In accordance with §2896(3) of the Public Authorities Law for New York State, Public Authorities, the Organization reports property held for resale at values of approximately \$489,000 and \$369,000 as of December 31, 2022 and 2021, respectively. The property is located within the County. Generally Accepted Accounting Principles require inventory-type items be booked at cost or net realizable value, whichever is less. Costs, including those related to the acquisition, demolition and rehabilitation of properties for which the Organization holds title are capitalized. These costs are reclassified as expenses once a property has been sold.

J. Revenue Recognition

CCLBC's grant awards constitute non-exchange transactions, requiring application of the contribution accounting model, according to the provisions of ASU 2018-08. There are no conditions that contain a barrier; as such, grant revenues are recognized as unconditional contributions (although still labeled as grants in the financial statements). Additionally, the Corporation's grants are not restricted by time or purpose (as defined by ASC 958-605-45-4) and have been recorded increases in net assets without donor restrictions.

K. Contracts With Customers

The Organization enters into contracts with customers for the sale of rehabilitated land and properties. At December 31, 2022 and 2021, the Organization has met the performance obligations in those respective agreements and recognized the corresponding revenue in the accompanying financial statements.

L. Deferred Revenue

Deferred revenue results when receipts from exchange transactions exceed amounts earned. As of December 31, 2022 and 2021, deferred revenue total approximately \$60,000 and \$25,000, respectively.

M. Functional Expenses

Expenses are summarized and categorized based on their functional classification as either program or supporting services. Expenses that are readily identifiable to a specific program or supporting service are charged directly to that service. Expenses attributable to more than one program or supporting service are allocated on a reasonable basis that is consistently applied. Allocated expenses include depreciation and occupancy expenses, which are allocated based on estimated usage, square footage, or employment related expenses, which when not directly related to a program, are allocated based on estimates of time and effort.

N. Contingencies

The Organization has received grants which are subject to audit by agencies of the state. Such audits may result in disallowances and a request for a return of funds. Based on no known significant areas of non-compliance, the Organization believes disallowances, if any, will not be material.

O. Reclassifications

Certain items in the prior year's financial statements have been reclassified to conform with reporting in the current year.

P. Income Taxes

The Organization is exempt from income taxes under Section 501(c)3 of the United States Internal Revenue Code. Therefore, no provision for income taxes is reflected in the financial statements. The Organization is also exempt from New York State income tax under Article 7(a) of the New York State Executive Law. Tax returns remaining open for examination by governing authorities include those for the previous three years.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES (CONT)

Q. Subsequent Events

Management of the Organization has evaluated events and transactions as of the date of this report.

NOTE 2: RELATED PARTY TRANSACTIONS

CCLBC is a component unit of the County of Chautauqua, but the Organization is legally separate from the County. The activity of the Organization is included in the combined financial statements of the County.

NOTE 3: OPERATING LEASES

CCLBC leases an office in Dunkirk, NY that was initiated in June of 2019. The lease agreement calls for monthly payments of \$425, and currently operates on a month-to-month basis. Payments on this lease totaled \$5,100 for each of the years ending December 31, 2022 and 2021.

NOTE 4: RETIREMENT PLAN

CCLBC has a Simple IRA for full-time employees, matching up to 3.0% of the participant's compensation each pay period. For each of the years ended December 31, 2022 and 2021, the Organization made contributions to the plan totaling approximately \$2,500.

NOTE 5: INVESTMENTS AND FAIR VALUE MEASUREMENTS

According to FASB ASC Topic 820, U.S. GAAP establishes a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. This hierarchy consists of three broad levels: Level 1 inputs consist of unadjusted quoted prices in active markets for identical assets and have the highest priority, Level 2 inputs consist of observable inputs other than quoted prices for identical assets, and Level 3 inputs have the lowest priority and consist of significant unobservable inputs. **CCLBC** uses appropriate valuation techniques based on the available inputs to measure the fair value of its investments which consists of Level 1 inputs for all securities. As of December 31, 2022, the Organization held a certificate of deposit at M&T Bank. The CD bears interest at an annual rate of 3.25% and is set to mature on December 20, 2024. The cost basis of the CD, which approximates fair market value, was \$500,000 as of December 31, 2022.

NOTE 6: LIQUIDITY MANAGEMENT

CCLBC regularly reviews its financial position and operations, including the liquidity required to meet general expenditures, liabilities, and obligations that may come due. The Organization has financial assets available for meeting planned expenditures in the next fiscal year, including cash equivalents, investments and receivables of approximately \$876,000 and \$1,101,000 as of December 31, 2022 and 2021, respectively.

NOTE 7: AGREEMENT WITH HOME HEADQUARTERS

On May 1, 2021, **CCLBC** entered into an agreement with Home Headquarters, Inc. (HHQ), an independent not-for-profit housing corporation located in Syracuse, NY that creates housing opportunities in Central and Upstate New York for individuals and families. The agreement called for **CCLBC** to provide a \$75,000 grant that would provide seed capital for HHQ to establish a loan loss reserve specifically to backstop loans made by HHQ to **CCLBC** property buyers. **CCLBC** will be responsible for marketing its properties to eligible home buyers. HHQ will underwrite and determine the eligibility of property buyers and subsequently provide loans to qualifying candidates.



**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON
AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors
Chautauqua County Land Bank Corporation (CCLBC)

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of **CCLBC**, a nonprofit organization and component unit of the County of Chautauqua, which comprise the statement of financial position as of December 31, 2022, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated February 8, 2023.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered **CCLBC** internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of **CCLBC** internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control.

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 entity's financial statements will not be prevented or detected and corrected on a timely basis. 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.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that may have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether **CCLBC** financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Bysiek CPA, PLLC

**BYSIEK CPA, PLLC
FEBRUARY 8, 2023
OLEAN, NY 14760**



INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH §2925 (3)(f)
OF THE NEW YORK STATE PUBLIC AUTHORITIES LAW

To the Board of Directors
of **Chautauqua County Land Bank Corporation**

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of **Chautauqua County Land Bank Corporation**, a nonprofit organization and a component unit of the County of Allegany, as of and for the years ended December 31, 2022 and 2021, and the related notes to the financial statements, which collectively comprise the Land Bank's financial statements, and have issued our opinion thereon February 8, 2023.

In connection with our audit, nothing came to our attention that caused us to believe **Chautauqua County Land Bank Corporation** failed to comply with the Land Bank's Investment Guidelines, the New York State Comptroller's Investment Guidelines, or §2925 of the New York State Public Authorities Law (collectively, Investment Guidelines), which is the responsibility of the Land Bank's management, insofar as they relate to the financial accounting knowledge of noncompliance with such Investment Guidelines.

This communication is intended solely for the information and use of the Board of Directors and management of **Chautauqua County Land Bank Corporation** and the Office of the Comptroller of the State of New York and is not intended to be, and should not be, used by anyone other than these specified parties.

Bysiek CPA, PLLC

BYSIEK CPA, PLLC
FEBRUARY 8, 2023
OLEAN, NY 14760

Section I – Summary of Audit Results

1. The auditor's report expresses an unmodified opinion on the financial statements of *Chautauqua County Land Bank Corporation*.
2. No significant deficiencies relating to the audit of the financial statements were reported in the Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Governmental Auditing Standards*.
3. No instances of noncompliance material to the financial statements of *Chautauqua County Land Bank Corporation* were disclosed during the audit as reported in the Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Governmental Auditing Standards*.

Section II – Audit Findings

A. Internal Control Over Financing Reporting

There were no findings related to internal control over financial reporting for the year ending December 31, 2022.

B. Compliance and Other Matters

There were no compliance findings noted for the year ending December 31, 2022.

Section III – Summary Schedule of Prior Audit Findings

A. Internal Control Over Financing Reporting

There were no findings related to internal control over financial reporting for the year ending December 31, 2021.

B. Compliance and Other Matters

There were no compliance findings noted for the year ending December 31, 2021.