

Non-Profit Organizations

The work done by non-profit and tax-exempt organizations is vital to every community. These organizations face unique challenges as they are formed and throughout their operation.

Tucker Arensberg, P.C. represents non-profit and tax-exempt organizations, which range vary broadly in purpose and size, including economic, business and housing development corporations, colleges, long-term care and assisted living facilities, community service organizations, civic leagues, veterans' associations, professional associations, trade organizations, churches, educational and other charitable organizations.

The firm helps in the formation of such organizations as non-profit corporations, associations, foundations, trusts or cooperatives, depending upon the specific objectives of the organizers. Such work requires addressing a wide range of legal issues affecting the purpose of the organization, its management and its boards of directors.

Services for Non-Profit/Tax-Exempt/Charitable Organizations

- Corporate Compliance: Maintain corporate records; draft/amend bylaws; documentation of corporate meetings
- Tax Status Issues: Monitor activities to ensure compliance with required tax exempt purposes
- Contributions: Provide proper documentation for acknowledgment of donor contributions
- Scholarship Programs: Provide guidance on establishing and maintaining a scholarship program
- Investment Compliance: Provide guidance to board on compliance with investment management issues
- Meetings: If entity is a corporation, attend corporate or trustee meetings in an advisory capacity
- Trust Maintenance: If entity is a trust, provide guidance on trust maintenance
- Reporting Requirements: Work with the organization's accountant in completing annual filing requirements (IRS Form 990) and advance ruling period final reporting
- Accounting Issues: Work with organization's accountant regarding financial reporting
- State Requirements: Provide guidance on state requirements for reporting fundraising activities
- Private Inurement/Intermediate Sanctions: Provide guidance on avoidance of private inurement which could jeopardize tax-exempt status. Provide guidance on intermediate sanctions, if applicable
- Federal Tax-Exempt Status: Complete filings for exemption from various state taxes (such as sales tax and real estate tax)
- State Tax-Exempt Status: Complete filings for exemption from various state taxes (such as sales tax and real estate tax)
- Donor Estate Planning: Provide guidance and documentation for charitable bequests (including charitable remainder trusts and charitable lead trusts)
- Financing Transactions: Serve as bond issuers' and borrowers' counsel in tax-exempt financing transactions
- Business Concerns: Provide guidance encountered by other business organizations including contracts, leases, employment and labor issues and zoning and land use
- Event Release Forms: Draft release forms to be signed by participants in events; general counsel on liability issues