



OHIO AUDITOR OF STATE
KEITH FABER



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BASIC AUDIT REPORT

Newtown Energy Special Improvement District, Inc.
Hamilton County
201 E. Fifth Street, #1110
Cincinnati, OH 45202

We have completed certain procedures in accordance with Ohio Rev. Code Section 117.01(G) to the accounting records and related documents of the Newtown Energy Special Improvement District, Inc., Hamilton County, (the District) for the years ended December 31, 2023 and 2022.

Our procedures were designed solely to satisfy the audit requirements of Ohio Rev. Code Section 117.11(A). Because our procedures were not designed to opine on the District's financial statements, we did not follow *generally accepted auditing standards*. We do not provide any assurance on the District's financial statements, transactions or balances for the years ended December 31, 2023 and 2022.

The District's management is responsible for preparing and maintaining its accounting records and related documents. Our responsibility under Ohio Rev. Code Section 117.11(A) is to examine, analyze and inspect these records and documents.

Based on the results of our procedures, we found the following significant compliance or accounting issues to report.

Current Year Observations

1. Annual Report Filing

Ohio Rev. Code § 117.38 provides that the District shall file an annual financial report with the Auditor of State within 60 days of fiscal year end. The District did not file its 2022 annual financial report in the HINKLE system until November 10, 2023, which was not within the allotted timeframe.

The District may be fined subject to various other administrative remedies for its failure to file the required financial report in a timely manner. The District should file its annual report with the Auditor of State within the allotted timeframe.

2. Public Records Custodian and Records Retention Schedule

Ohio Rev. Code § 149.43(E)(2) requires all public offices take certain actions with regard to their public record policy. Public offices must distribute their Public Records Policy to the employee who is the records custodian/manager or otherwise has custody of the records of that office and have that employee acknowledge receipt of the Public Records Policy; create and display in a conspicuous place in all locations where the public office has branch offices a poster describing the public records policy; and, if the public office has a manual or handbook of its general policies and procedures for all employees, include the public records policy in that manual or handbook.

Ohio Rev. Code § 149.43(B)(2) states the entity shall have available a copy of its current records retention schedule at a location readily available to the public.

The District did not adopt a records retention schedule. Additionally, the District did not obtain an acknowledgement from the records custodian for receipt of the public records policy. These conditions could result in records requests not being fulfilled in accordance with Ohio law.

The District shall establish a records retention schedule and obtain an acknowledgement from the records custodian of receipt of the public records policy.

3. Code of Regulations

Ohio Rev. Code § 149.351 requires all records that are the property of the public office shall not be removed, destroyed, mutilated, transferred, or otherwise damaged or disposed of, in whole or in part, except as provided by law or under the rules adopted by the records commission provided for under Ohio Rev. Code §§149.38 through 149.42.

The District approved Resolution 2019-01 adopting a Code of Regulations. However, the District did not maintain this Code of Regulations.

Failure to maintain underlying documentation for the system of internal control can increase the risk of fraud and result in financial statement misstatements.

The District should maintain all records in an orderly manner.



Keith Faber
Auditor of State
Columbus, Ohio
June 13, 2024

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**NEWTOWN ENERGY SPECIAL IMPROVEMENT DISTRICT, INC. DBA EASTERN COMMUNITIES
ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.**

HAMILTON COUNTY

AUDITOR OF STATE OF OHIO CERTIFICATION

This is a true and correct copy of the report, which is required to be filed pursuant to Section 117.26, Revised Code, and which is filed in the Office of the Ohio Auditor of State in Columbus, Ohio.



Certified for Release 6/25/2024

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This report is a matter of public record and is available online at
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