



OHIO AUDITOR OF STATE  
**KEITH FABER**





# OHIO AUDITOR OF STATE KEITH FABER



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## BASIC AUDIT REPORT

Union City Area Community Improvement Corporation  
Darke County  
419 East Elm Street  
Union City, Ohio 45390

We have completed certain procedures in accordance with Ohio Rev. Code Section 117.01(G) to the accounting records and related documents of the Union City Area Community Improvement Corporation, Darke County, (the Corporation) for the years ended December 31, 2021 and 2020.

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 Corporation's financial statements, we did not follow *generally accepted auditing standards*. We do not provide any assurance on the Corporation's financial statements, transactions or balances for the years ended December 31, 2021 and 2020.

The Corporation'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. **Ohio Rev. Code Section 1724.05** states, in part, that each community improvement corporation shall prepare an annual financial report that conforms to rules prescribed by the auditor of state pursuant to section 117.20 of the Revised Code, that is prepared according to generally accepted accounting principles, and that is certified by the board of directors of the corporation or its treasurer or other chief fiscal officer to the best knowledge and belief of those persons certifying the report. The financial report shall be filed with the auditor of state within one hundred twenty days following the last day of the corporation's fiscal year, unless the auditor of state extends that deadline. The auditor of state may establish terms and conditions for granting any extension of that deadline.

Furthermore, **Ohio Rev. Code Section 1724.06**, states, in part, that failure to file the annual report with the Auditor of State within 90 days of the prescribed filing date (i.e. 210 days following the last day of the corporation's fiscal year), requires the Auditor of State's Office to certify that fact to the Secretary of State, and for the Secretary of State to cancel the corporation's articles of incorporation.

We noted that the Corporation did not file the 2021 and 2020 annual financial reports within 120 days after fiscal year-end as the 2021 and 2020 annual financial reports were filed on August 10, 2022. Additionally, the Corporation did not file financial statements in accordance with generally accepted accounting principles (GAAP).

It is the Corporation's responsibility to file annual financial statements in accordance with GAAP with the Auditor of State in a timely manner.

**Current Year Observations (Continued)**

- 2. Ohio Rev. Code Section 1702.57** states that “no person shall exercise or attempt to exercise any rights, privileges, immunities, powers, franchises, or authority under the articles of a domestic corporation after such articles have been canceled or after such corporation has been dissolved or after the period of existence of the corporation specified in its articles has expired, except such acts as are incident to the winding up of the affairs of the corporation, or are required to obtain reinstatement of the articles”.

According to the Ohio Secretary of State, the Corporation’s articles of incorporation were cancelled effective December 28, 2021; however, the Corporation has not been dissolved. The Corporation’s articles of incorporation were cancelled due to failure to file a statement of continued existence.

If the Corporation intends to continue operating, the Corporation should contact the Secretary of State to have its articles of incorporation reinstated. If the Corporation intends to dissolve, the Corporation should notify the Secretary of State and Auditor of State of its intentions.

**Current Status of Matters Reported in our Prior Engagement**

- 3.** Our prior basic audit for the years ended December 31, 2019 and 2018 included one observation (not filing financial statements in accordance with generally accepted accounting principles) that was not corrected and was repeated as current year observation #1 above.



Keith Faber  
Auditor of State  
Columbus, Ohio

August 23, 2022

# OHIO AUDITOR OF STATE KEITH FABER



**UNION CITY AREA COMMUNITY IMPROVEMENT CORPORATION**

**DARKE 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 9/6/2022**

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This report is a matter of public record and is available online at  
[www.ohioauditor.gov](http://www.ohioauditor.gov)