



RECORDER OF DEEDS/
REGISTER OF WILLS

UNION COUNTY

EXAMINATION REPORT

FOR THE PERIOD

JANUARY 1, 2002 TO DECEMBER 31, 2005

CONTENTS

	<u>Page</u>
Independent Auditor's Report.....	1
Financial Section:	
Statements Of Receipts And Disbursements.....	3
Recorder Of Deeds	
Realty Transfer Taxes	3
Writ Taxes And Judicial Computer System/Access To Justice Fees.....	4
Register Of Wills	
Inheritance Taxes And Judicial Computer System/Access To Justice Fees	5
Notes To The Statements Of Receipts And Disbursements	6
Comment.....	10
Report Distribution	11

Independent Auditor's Report

The Honorable Gregory C. Fajt
Secretary
Department of Revenue
Harrisburg, PA 17128

We have examined the accompanying statements of receipts and disbursements (Statements) of the Recorder of Deeds/Register of Wills, Union County, Pennsylvania (County Officer), for the period January 1, 2002 to December 31, 2005, pursuant to the requirements of Sections 401(b) and 401(d) of *The Fiscal Code*. These Statements are the responsibility of the county office's management. Our responsibility is to express an opinion on these Statements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. An examination includes examining, on a test basis, evidence supporting the Statements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

We are mandated by Sections 401(b) and 401(d) of *The Fiscal Code* to audit the accounts of each county officer to determine whether all moneys collected on behalf of the Commonwealth have been correctly reported and promptly transmitted. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Sections 401(b) and 401(d) of *The Fiscal Code*.

Independent Auditor's Report (Continued)

In our opinion, the Statements referred to above present, in all material respects, the operations of the County Officer as it pertains to receipts made on behalf of the Department of Revenue and other state agencies for the period ended December 31, 2005, in conformity with the criteria set forth in Note 1.

In accordance with *Government Auditing Standards*, we are required to report findings of deficiencies in internal control, violations of provisions of contracts or grant agreements, and abuse that are material to the Statements and any fraud and illegal acts that are more than inconsequential that come to our attention during our examination. We are also required to obtain the views of management on those matters. We performed our examination to express an opinion on whether the Statements are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over the Statements or on compliance and other matters; accordingly, we express no such opinions. The results of our examination disclosed no matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Pennsylvania Department of Revenue, the Administrative Office of Pennsylvania Courts, and the County Officer and is not intended to be and should not be used by anyone other than these specified parties.

November 17, 2006

JACK WAGNER
Auditor General

RECORDER OF DEEDS
 UNION COUNTY
 REALTY TRANSFER TAXES
 STATEMENT OF RECEIPTS AND DISBURSEMENTS
 FOR THE PERIOD
 JANUARY 1, 2002 TO DECEMBER 31, 2005

Receipts:

Realty Transfer Taxes (Note 2)	\$ 3,860,508
Disbursements to Department of Revenue (Note 4)	<u>(3,860,508)</u>
Balance due Department of Revenue (County) per settled reports (Note 5)	-
Examination adjustments	<u>-</u>
Adjusted balance due Department of Revenue (County) for the period January 1, 2002 to December 31, 2005	<u><u>\$ -</u></u>

Notes to the Statements Of Receipts and Disbursements are an integral part of this report.

RECORDER OF DEEDS
 UNION COUNTY
 WRIT TAXES AND JUDICIAL COMPUTER SYSTEM/ACCESS TO JUSTICE FEES
 STATEMENT OF RECEIPTS AND DISBURSEMENTS
 FOR THE PERIOD
 JANUARY 1, 2002 TO DECEMBER 31, 2005

Receipts:

Writ Taxes	\$	17,413
Judicial Computer System/Access To Justice Fees		<u>215,610</u>
Total Receipts (Note 2)		233,023
Commissions (Note 3)		<u>(522)</u>
Net Receipts		232,501
Disbursements to Department of Revenue (Note 4)		<u>(232,501)</u>
Balance due Department of Revenue (County) per settled reports (Note 5)		-
Examination adjustments		<u>-</u>
Adjusted balance due Department of Revenue (County) for the period January 1, 2002 to December 31, 2005	\$	<u><u>-</u></u>

Notes to the Statements Of Receipts and Disbursements are an integral part of this report.

REGISTER OF WILLS
 UNION COUNTY
 INHERITANCE TAXES AND
 JUDICIAL COMPUTER SYSTEM/ACCESS TO JUSTICE FEES
 STATEMENT OF RECEIPTS AND DISBURSEMENTS
 FOR THE PERIOD
 JANUARY 1, 2002 TO DECEMBER 31, 2005

Receipts:

Inheritance Taxes	\$	8,522,998
Judicial Computer System/Access To Justice Fees		<u>5,005</u>
Total Receipts (Note 2)		8,528,003
Disbursements and Credits to Department of Revenue (Note 4)		<u>(8,528,003)</u>
Balance due Department of Revenue (County) per settled reports (Note 5)		-
Examination adjustments		<u>-</u>
Adjusted balance due Department of Revenue (County) for the period January 1, 2002 to December 31, 2005	\$	<u><u>-</u></u>

Notes to the Statements Of Receipts And Disbursements are an integral part of this report.

RECORDER OF DEEDS/
REGISTER OF WILLS
UNION COUNTY
NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2002 TO DECEMBER 31, 2005

1. Criteria

The Statements of Receipts and Disbursements (Statements) have been prepared in accordance with Title 72 P.S. Section 401 (b) of *The Fiscal Code*, which requires the Department of the Auditor General to determine whether all money collected on behalf of the Commonwealth has been remitted properly and to provide the Department of Revenue with a report to enable them to settle an account covering any delinquency.

The Statements were prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Revenue. Under this method, only the Commonwealth portion of cash receipts and disbursements are presented, revenues are recognized when received, and expenditures are recognized when paid.

2. Receipts

Recorder Of Deeds

Receipts consist of monies collected on behalf of the Department of Revenue. These include monies collected for the following taxes and fees:

- The Pennsylvania Realty Transfer Tax is a documentary stamp tax of 1 percent on the value of the interest in real property transferred by deed.
- Writ Taxes represent a \$.50 tax imposed on various types of documents and a \$10 tax on notary public commissions processed through the office.
- Judicial Computer System/Access To Justice Fees represent a \$10 fee, for filings after November 1, 2002, imposed for each filing of a deed, mortgage, or property transfer.

Register Of Wills

Receipts consist of monies collected on behalf of the Department of Revenue less commissions on these monies. These include monies collected for the following taxes and fees:

- Inheritance Taxes represent inheritance taxes filed with the Register of Wills.

RECORDER OF DEEDS/
 REGISTER OF WILLS
 UNION COUNTY
 NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
 FOR THE PERIOD
 JANUARY 1, 2002 TO DECEMBER 31, 2005

2. Receipts (Continued)

Register Of Wills (Continued)

- Judicial Computer System/Access To Justice Fees represent fees (\$5.00 for filings prior to November 1, 2002 and \$10.00 for filings afterwards) imposed for the initiation of any civil action or legal proceeding, including the filing of petitions for grants of letters, and first filing in petitions concerning adoptions, incompetents' estates, minors' estates, and inter vivos trusts.

3. Commissions

Acting in the capacity of an agent for the Commonwealth, the Recorder of Deeds/Register of Wills is authorized to collect a commission on the Commonwealth portion of taxes as follows:

<u>Tax</u>	<u>Commission</u>
Realty Transfer	1%
Writ	3%
Inheritance	4.25% \$1.00 to \$200,000.00
	1.75% next \$800,000.00
	.50% thereafter

Recorder of Deeds commissions of \$38,605 for Realty Transfer Taxes and Register of Wills commissions of \$114,014 for Inheritance Taxes were paid to the County by the Department of Revenue, which are not reflected in the statements of receipts and disbursements.

4. Disbursements And Credits To Department Of Revenue

Recorder Of Deeds

Realty Transfer Taxes

The Recorder of Deeds participates in the Department of Revenue's cash management system for Realty Transfer Taxes. Under this system, the "Agent" deposits Realty Transfer Tax collections to a local account approved and established in the name of the Department of Revenue, thereby eliminating the need for the agent to issue a check to disburse these taxes.

RECORDER OF DEEDS/
 REGISTER OF WILLS
 UNION COUNTY
 NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
 FOR THE PERIOD
 JANUARY 1, 2002 TO DECEMBER 31, 2005

4. Disbursements And Credits To Department Of Revenue (Continued)

Total disbursements are comprised as follows:

Deposits into the Department of Revenue's cash management account	<u>\$3,860,508</u>
--	--------------------

Writ Taxes and Judicial Computer System/Access To Justice Fees

Total disbursements are comprised as follows:

Checks issued to the Department of Revenue	<u>\$ 232,501</u>
--	-------------------

Register Of Wills

Inheritance Taxes

The Register of Wills participates in the Department of Revenue's cash management system for Inheritance Taxes. Under this system, the "Agent" deposits Inheritance Tax collections to a local account approved and established in the name of the Department of Revenue, thereby eliminating the need for the agent to issue a check to disburse these taxes.

Total disbursements and credits are comprised as follows:

Deposits into the Department of Revenue's cash management account	\$ 8,522,888
Credits issued by the Department of Revenue	110
Checks issued to the Department of Revenue for Judicial Computer System/Access To Justice Fees	<u>5,005</u>
Total	<u>\$ 8,528,003</u>

RECORDER OF DEEDS/
REGISTER OF WILLS
UNION COUNTY
NOTES TO THE STATEMENTS OF RECEIPTS AND DISBURSEMENTS
FOR THE PERIOD
JANUARY 1, 2002 TO DECEMBER 31, 2005

5. Balance Due Department Of Revenue (County) For The Period January 1, 2002 To December 31, 2005

This balance reflects a summary of monthly transmittal reports as settled by the Department of Revenue.

6. County Officer Serving During Examination Period

Lorraine M. Lenhart served as Recorder of Deeds/Register of Wills during the period January 1, 2002 to December 31, 2005.

RECORDER OF DEEDS/
REGISTER OF WILLS
UNION COUNTY
COMMENT
FOR THE PERIOD
JANUARY 1, 2002 TO DECEMBER 31, 2005

Comment - Compliance With Prior Audit Recommendations

During our prior audit, we made the following recommendations:

- That the office ensure that all personnel utilizing the computer system are required to periodically change their passwords.
- That the office negotiate a contract and software maintenance agreement with the vendor that addresses the issue of liability.
- That the County's Department of Information Services, in cooperation with the office, complete a formal risk assessment of the computer system to ensure that the systems controls are adequate to protect the data stored on the system.
- That the office establish an off-premise location to store all back-up tapes in the event of an emergency/disaster at the courthouse.
- That the office, in cooperation with the vendor, establish procedures to periodically generate monitoring reports that include the date, time, reason for change(s), change(s) made, and who made the change(s). The officeholder should routinely review these reports to determine that access was appropriate and that data was not improperly altered.

During our current examination, we noted that the office complied with our recommendations.

RECORDER OF DEEDS/
REGISTER OF WILLS
UNION COUNTY
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2002 TO DECEMBER 31, 2005

This report was initially distributed to:

The Honorable Gregory C. Fajt
Secretary
Department of Revenue

The Honorable Zygmunt Pines
Court Administrator of Pennsylvania
Supreme Court of Pennsylvania Courts
Administrative Office of Pennsylvania Courts

Recorder of Deeds/Register of Wills
Union County
Union County Courthouse
103 South Second Street
Lewisburg, PA 17837

The Honorable Lorraine M. Lenhart

Recorder of Deeds/Register of Wills

The Honorable William W. Haas

Chairman of the Board

This report is a matter of public record. Copies of this report may be obtained from the Pennsylvania Department of the Auditor General, Office of Communications, 318 Finance Building, Harrisburg, PA 17120. To view this report online or to contact the Department of the Auditor General, please access our web site at www.auditorgen.state.pa.us.