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Auditor of State





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## INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES

Board of Trustees  
Dayton/Montgomery County Convention and Visitors Bureau  
Montgomery County  
1 Chamber Plaza, Suite A  
Dayton, OH 45402

We have performed the procedures enumerated below, to which the management of the Dayton/Montgomery County Convention and Visitors Bureau (the Bureau) agreed, solely to assist the Bureau in evaluating whether it recorded all lodging taxes it received from Montgomery County, and to help evaluate whether the Bureau disbursed these lodging taxes for allowable purposes described below for the years ended December 31, 2008 and 2007. The Bureau is responsible for disbursing lodging taxes for allowable purposes. We followed the American Institute of Certified Public Accountants' attestation standards for agreed-upon procedures engagements. The sufficiency of the procedures is solely the responsibility of the Bureau. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

### Cash Receipts

1. We confirmed with Montgomery County the lodging taxes they paid to the Bureau during the years ending December 31, 2008 and 2007. The County confirmed the following amounts:

<u>Year Ended</u>	<u>Amount</u>
December 31, 2008	\$1,541,078
December 31, 2007	\$1,553,566

2. We compared the amounts from step 1 to amounts recorded as lodging tax receipts on the Bureau's cash receipts journal. We found no exceptions.

### Cash Disbursements

1. We inquired of management regarding sources describing allowable purposes or restrictions related to the Bureau's disbursements of lodging taxes. We listed these sources and summarized significant related restrictions below:

#### Source of Restrictions

- a. The Bureau's Articles of Incorporation
- b. The Bureau's 501(c)(6) Tax Exemption
- c. The Bureau's By Laws
- d. The Bureau's Administrative Policies
- e. The agreement dated October 1, 1994 between the Bureau and Montgomery County.
- f. Ohio Revised Code 5739.09(A)(2)

The Bureau's Articles of Incorporation prohibits it from disbursements that benefit any member, trustee or officer.

The Bureau's tax exemption prohibits it from disbursements supporting a candidate's election.

The Bureau's By Laws and the agreement dated October 1, 1994 between the Bureau and Montgomery County permits the Bureau to spend lodging taxes only for the maintenance and staffing of the Bureau's operations for the purpose of destination marketing to benefit the Dayton-Montgomery County area and any activities that would assist in this purpose.

Auditor of State Bulletin 2003-005 deems any disbursement of public funds (e.g. lodging taxes) for alcohol to be improper.

Ohio Revised Code Section 5739.09(A)(2) restricts the Bureau to spend lodging tax specifically for promotion, advertising, and marketing of the region in which the county is located.

2. We haphazardly selected forty disbursements of lodging taxes from the years ended December 31, 2008 and 2007 in addition to all disbursements exceeding \$10,000, and compared the purpose for these disbursements as documented on vendor invoices or other supporting documentation to all sources of restriction. We found no instances where the purpose described on the invoice or other supporting documentation described a violation the restrictions listed above.

We were not engaged to, and did not examine the Bureau's lodging tax receipts and disbursements for the year ended December 31, 2008 and 2007, the objective of which would have been to opine on lodging tax receipts and disbursements. Accordingly, we do not express an opinion. Had we performed additional procedures, other matters might have come to our attention that we would have reported to you.

This report is intended solely for the information and use of the Bureau and is not intended to be, and should not be used by anyone else.



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April 7, 2009



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**DAYTON/MONTGOMERY COUNTY CONVENTION AND VISITORS BUREAU**

**MONTGOMERY COUNTY**

**CLERK'S CERTIFICATION**

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

*Susan Babbitt*

**CLERK OF THE BUREAU**

**CERTIFIED  
MAY 21, 2009**