



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

**AGREED-UPON PROCEDURES**

**FOR THE YEARS ENDED DECEMBER 31, 2012 AND 2011**



**Dave Yost • Auditor of State**





# Dave Yost • Auditor of State

## 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, Ohio 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, 2012 and 2011. 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 and applicable attestation engagement standards included in the Comptroller General of the United States' *Government Auditing Standards*. 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 it paid to the Bureau during the years ending December 31, 2012 and 2011. The County confirmed the following amounts:

<u>Year Ended</u>	<u>Amount</u>
December 31, 2012	\$1,743,712.15
December 31, 2011	\$1,552,479.96

2. We compared the amounts from step 1 to amounts recorded as lodging tax receipts on the Bureau's monthly Profit & Loss reports. 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 Code of Regulations
- d. The Bureau's Administrative Policies
- e. The agreement dated October 1, 1994 between the Bureau and Montgomery County
- f. Ohio Rev. Code Section 5739.09(A)(2)

**Cash Disbursements (Continued)**

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

The Bureau's Code of Regulations, Articles of Incorporation 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 a) to promote the City of Dayton and Montgomery County as a desirable destination for conventions, meetings, conferences and trade shows; b) promote and facilitate visitor travel and tourism to the City of Dayton and Montgomery County; c) extend services, advice and assistance to organizations, businesses, and venues involved in the foregoing activities; and d) to enhance and maintain the image, goodwill, and high esteem of the City of Dayton and Montgomery County.

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

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

2. We haphazardly selected forty disbursements of lodging taxes from the years ended December 31, 2012 and 2011 in addition to all disbursements exceeding \$7,000, and compared the purpose for these disbursements as documented on vendor invoices or other supporting documentation to the sources of restrictions listed in *Cash Disbursements Step 1* above. 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 years ended December 31, 2012 and 2011, 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.



**Dave Yost**  
Auditor of State

March 27, 2013



# Dave Yost • Auditor of State

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  
APRIL 23, 2013