

# MEMO



To: 2019-2020 Board of Directors  
From: General Manager, Robb Etnyre  
Dates: July 17, 2019  
Subject: **Fraud Prevention Policy (Administrative Resolution 2016-5) Quarterly Compliance Report for Third Quarter**

## Introduction

The board of directors approved Administrative Resolution 2016-5, titled Fraud Prevention Policy and Administrative Resolution 2016-6, titled Whistleblower Protection Policy. Both policies remain in effect. To maintain consistent communication and reporting on these policies with the board of directors, the following quarterly schedule has been established to provide a status report on these policies. Reporting will typically take place during the below calendar month's board meeting in open and executive session, given the sensitive nature of fraud reporting. The following topics will be addressed quarterly, per policy:

1. Association fraud **risk management activities**
2. **Reported suspected fraud** or other acts that may be illegal, unethical or in violation of adopted policies, including the Code of Conduct
3. **Results of investigations** and incident resolutions

March	July	September	December
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## Risk Management Activities

The following policies and entity level controls have been established to create an effective environment to manage the Association's fraud risk:

- Codes of Conduct for the Association's Board of Directors (Resolution 2018-1) was updated February 24, 2018, Senior Management (Directors and above) and employees prescribed expected professional and ethical conduct, including potential conflicts of interest. Individual Board Directors, Senior Managers, Managers, and all full-time regular employees will affirm they have read, understood and complied with these policies annually.
  - Board of Directors has a currently adopted Fraud Prevention Policy (2016-5).

- Board of Directors has a currently adopted Whistleblower Protection Policy (2016-6)
- Board of Directors has a current adopted Code of Conduct (2018-1)
- Committee and Task Forces of the Board of Directors Principles of Conduct Resolution (2018-7)
- California recently passed AB2912 which is effective January 1, 2019, and created new civil code 5500/5501 requiring monthly review of;
  - Current reconciliation of association's operating accounts
  - Current reconciliation of association's reserve accounts
  - Current year's actual operating revenues and expenses compared to budget
  - Latest account statements prepared by the financial institutions for all accounts
  - An income and expense statement for the association's operating and reserve accounts
  - Check register, monthly general ledger, and delinquent assessment receivable reports
- The Association has adopted a formal delegation of authority for authorizing and executing transactions on behalf of the organization and two individuals are required for transactions over defined limits (Resolution 2016-9: Authorization Levels).
  - Management Internal Limitations by General Manager, Effective 2/1/2019
    - Supervisor \$ 250
    - Manager \$ 750
    - Senior Manager \$ 1,750
    - Director of Finance \$3,000 / \$15,000 Budgeted / Annual Blanket Purchase Orders (PO)
    - General Manager \$ > 3,000
  - ALL SPENDING REQUIRES PRE-APPROVAL.
  - Approvals should be obtained on PO prior to any firm commitment or order execution with vendor.
- Duties are adequately segregated throughout the organization.
- Established a Director Risk Management & Real Property to address loss prevention and to oversee and direct specific loss prevention activities, reporting, and staff.
- Financial results, with variance analysis to prior periods and budgeted amounts, are reviewed monthly with the Finance Committee, Managers, and Board of Directors.
- Related party transactions, including those with Board members, are reviewed annually in conjunction with the audit of the financial statements.

- Loss prevention cameras exist in various locations throughout Tahoe Donner. Digital video from loss prevention is reviewed and/or when appropriate and relevant to an investigation.
- Employees in Finance and Accounting are required to take at least five days of consecutive paid time off annually.
- Background checks are performed for all new hires in Senior Management and Finance and Information Technology Department positions, including confirmation of work history, education, criminal record, credit report and follow up with references. Background checks related to criminal history are also performed for employees that will regularly interact with minors.
- The Employee Handbook is provided to all employees at the time of hiring and includes the following information:
  - Employee Code of Conduct
  - Association policy on accepting gifts
  - Basic provisions from the Fraud Policy and the Whistleblower Policy describing responsibilities, reporting and investigation processes and retaliation protections
  - Requirement for cooperating with investigations into alleged fraud or any other suspected actions that may be illegal or unethical or in violation of Association policies, including the Code of Conduct.

## **Reported Suspected Fraud**

- The Association has adopted a Whistleblower Protection Policy, including a third-party Fraud Hotline for anonymous reporting.
- No reported cases of fraud for this period.

## **Reported Suspected Theft**

There were two reported thefts for the quarter: (1) alleged theft of personal belongings at Trout Creek. (1) alleged theft of TDA Food & Beverage items at Alder Creek Adventure Center;

## **Results of Investigations**

- 1. Trout Creek:** (1) alleged theft of a personal item from the front desk
  - a. Owner reported theft to police
  - b. Review of surveillance video occurred and provided clear evidence to indicate possible suspect(s) for the alleged theft.
  - c. Further investigation occurred with regards to the personal items missing, they were never found or recovered.
- 2. Alder Creek Adventure Center Cafe:** (1) alleged internal theft of TDA merchandise or inventory items from Food and Beverage department.

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- a. Review of surveillance video occurred and provided clear evidence to indicate possible suspect(s) for the alleged theft.
- b. The suspect was identified by cafe management and contacted to return the items.
- c. Further investigation occurred in regard to the inventory items missing, The TDA staff member was terminated for internal theft.

**Reported acts that may be illegal, unethical or in violation of adopted policies, including the Code of Conduct:** No open cases

Respectfully,

*RP Etnyre*

Robb Etnyre  
General Manager  
Tahoe Donner Association