



# FUND DEVELOPMENT POLICIES AND GUIDELINES

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HAVEN FUND DEVELOPMENT POLICY AND GUIDELINES  
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## **ARTICLE I | INTRODUCTION**

### **SECTION 1.01 PURPOSE OF POLICY**

**(A) GENERAL PURPOSE** | The purpose of this statement of gift policies and guidelines (hereinafter referred to as the “Policy”) is to:

- a. Maintain and preserve the integrity of HAVEN and all of its supporting organizations (hereinafter collectively referred to as “HAVEN”) in the solicitation, planning, management and disposition of gifts; and
- b. Protect the interests of the Donor(s); and
- c. Protect the interests of HAVEN

**(B) GIFTS COVERED BY POLICY** | The policies and guidelines contained in this Policy shall govern all gifts of HAVEN.

**(C) PRIMARY AUDIENCE** | These policies are for the use of the HAVEN staff and others who promote the acceptability of cash, non-cash and deferred gifts to HAVEN. These policies provide guidance to the staff of HAVEN when communicating with individual donors and their advisers. This guide sets forth policies and processes for the acceptance and administration of gifts. When appropriate, these policies may be shared with prospective donors and their advisors.

### **SECTION 1.02 AUTHORITY AND APPROVAL**

This policy (and any amendments thereto) has been approved and adopted by the HAVEN Board of Directors on the date set forth at the end of this Policy. Exceptions, amendments and modifications to this Policy shall be approved by the HAVEN Board of Directors.

### **SECTION 1.03 VIOLATIONS OF POLICY**

Intentional, reckless, or negligent violations of this Policy may result in the reprimand, probation, suspension and/or dismissal of any employee in accordance with current human resource policies.

## **ARTICLE II | ETHICAL STANDARDS**

### **SECTION 2.01 PROFESSIONAL STANDARDS**

When engaged in gift marketing, planning and/or implementation, every employee or other person acting for or on behalf of HAVEN shall adhere to the standards in effect as of the date of the original adoption of this Policy, as set forth in (1) “The Donor Bill of Rights” (see Addendum A) and (2) the Model Standards of Practice of the Charitable Gift Planner (see Addendum B).

### **SECTION 2.02 DONOR RELATIONS**

HAVEN considers the Donor’s intent and circumstances to be of the utmost importance. Every reasonable effort will be made to ensure that each gift is beneficial to and reflects the interests of both the Donor and HAVEN.

## **SECTION 2.03 CONFLICT OF INTEREST WITH RESPECT TO DONOR**

**(A) INTEREST OF THE DONOR** | The interests of the Donor shall be a primary consideration with respect to any gift to HAVEN. Employees of HAVEN shall provide true, accurate and complete information to the Donor concerning planning techniques available to achieve a Donor's charitable, financial and tax goals and objectives. While gifts may be encouraged and/or requested, individuals representing HAVEN will avoid undue or unwelcome pressure or techniques.

- a. **DISCLOSURE** | Any material conflict of interest that exists between HAVEN and the Donor that is not obvious on its face, as it relates to any proposed gift transaction, shall be disclosed in writing to the Donor (and/or to the Donor's legal counsel and/or financial advisor), if feasible.
- b. **CONFIDENTIALITY** | All information received from a Donor with an expectation of privacy shall be maintained confidentially by HAVEN. No personally identifiable information regarding the nature or amount of a gift shall be released to the general public without securing the prior written permission of the Donor, except for general information published annually in the HAVEN Annual Report.
- c. **LEGAL COUNSEL** | HAVEN shall strongly recommend to all Donors that they secure independent legal counsel regarding all aspects of a planned gift. If, during any period before a Donor secures independent legal counsel, an attorney for HAVEN is communicating with a prospective Donor in writing, the Donor shall be apprised, preferably in writing, that such attorney represents HAVEN only and not the Donor.

**(B) INFORMED WAIVER AND CONSENT** | Donors receiving advice or recommendations from HAVEN concerning a planned gift must understand the potential for conflict of interest and understand that neither HAVEN nor its employees or agents are rendering legal, accounting, securities, real estate, insurance, or other professional advice on which the Donors should rely in making their decisions. The role of all HAVEN attorneys and other personnel involved in a planned gift is to assist the Donor and his/her advisers in creating a gift plan that meets both the Donor's and HAVEN's goals. Any services provided by HAVEN's personnel are only ancillary or necessary to facilitate the gift and should not be construed by any Donor as services rendered in an attorney-client relationship.

## **SECTION 2.04 CONFLICT OF INTEREST WITH RESPECT TO PRIVATE INUREMENT**

It shall be the policy of HAVEN to avoid conflicts of interest arising when HAVEN is entering into a transaction or arrangement that might benefit the private interest of an employee, officer or director of HAVEN. This policy is intended to supplement, but not replace any applicable Michigan laws governing conflicts of interest applicable to nonprofit organizations or HAVEN's existing Conflict of Interest Policy.

## **ARTICLE III | PROGRAM ADMINISTRATION & GENERAL POLICIES**

### **SECTION 3.01 ADMINISTRATION**

- (A) GIFT REVIEW COMMITTEE** | A committee known as the Gift Review Committee (“GRC”) shall review and approve prospective gifts, except those gifts excluded pursuant to Article IV below. The principal HAVEN gift officer involved with the gift is responsible for initiating and obtaining the required approvals from the GRC. The director of development & marketing shall chair the GRC.
- (B) GRC** | Voting members of the GRC shall consist of the following members:
- a. Director of Development & Marketing
  - b. Finance Director
  - c. CEO
- (C) MEETINGS** | The GRC shall meet as needed to accommodate transaction timetables. Any voting member may call a meeting.
- (D) APPROVAL** | A majority of voting GRC members must approve a gift in accordance with Article IV below.
- (E) VETO POWER** | The CEO, with just cause and approval of the HAVEN Board of Directors may alter, cancel, vacate or veto any decision of the GRC

### **SECTION 3.02 GENERAL POLICIES**

The development office has primary responsibility for raising funds for HAVEN. Consequently, the development office will periodically provide illustrations and proposals to Donors in order to both explain how gifts may work in their specific situations and encourage Donors to make such gifts. The development office shall retain final coordination and review authority for such illustrations and proposals. Such illustrations and proposals shall:

- (A)** Follow the policies and guidelines in this Policy;
- (B)** Indicate that the GRC must review and approve any prospective gift not excluded under Article IV below before acceptance by HAVEN;
- (C)** State the calculations are based on information provided by the Donor and/or the Donor’s advisors and may be subject to change if the final facts are different than the information provided;
- (D)** Include an appropriate disclaimer making it clear that such documents are not an offer or a guarantee of investment performance, income, or tax consequences; and
- (E)** Include a request and encouragement to the Donor to have the gift transaction reviewed by independent legal counsel.

The development office shall maintain all planned giving records.

### **SECTION 3.03 FUNDRAISING ACTIVITIES**

- (A) GENERAL FUNDRAISING** | It is the policy of HAVEN that all fundraising activities, including proposals for corporate and foundation grants and fund/gift acceptance be approved and coordinated with the development office prior to such activity taking place. Further, no employee, representative or entity of HAVEN is

automatically empowered to develop funding sources or accept funds or gifts on behalf of the organization. Such authority must be obtained in advance by the development office to ensure that federal guidelines for solicitation are followed and that fund revenues are appropriately administered and accounted for in accordance with IRS regulations, and that duplication of efforts does not occur. All gifts benefiting HAVEN programs must be processed through the development office.

**(B) SOLICITATION OF FUNDS: FUNDRAISING EVENTS** | This process applies to all solicitation involving any HAVEN program or source of funding, regardless of the solicitation method:

- a. A written proposal should be presented to the Director of Development & Marketing before any planning, publicizing, or advertising of the fundraising efforts. Plans for materials, contracts with print-providers, etc., must wait for the approval of the fundraising effort.
- b. Approval of each fundraising request is dependent on the following factors:
  - i. The priority of the project to be funded within a unit's plan and overall organization strategic plan
  - ii. Availability of an appropriate prospect pool for solicitation. (i.e. anticipated prospects should be identified and shared with the development office to ensure that multiple entities within the organization are not soliciting funds from the same constituents)
  - iii. Total amount to be raised
  - iv. Whether the project to be funded requires other organization funds to ensure its viability or long-term sustainability
  - v. The availability of resources within the development office to assist with fundraising for the project, if needed
  - vi. The unit's financial commitment to the project from its existing operating budget.

**(C) SOLICITATION OF FUNDS: CORPORATE AND FOUNDATION**

**GRANTS** | A written request should be submitted to the director of development if the grant is outside the grant/fundraising efforts within the development office. The director of development in conjunction with the grant manager will review the request with the GRC and appropriate department head. The request to pursue corporate and/or foundation grants should include the following:

- a. The need to be addressed
- b. Description of the proposed project to be funded
- c. Personnel, required space and equipment to be involved
- d. All items and their estimated cost
- e. The percentage of the cost funded by the request
- f. Clear qualification of the overhead costs to administer the grant that will be included in the grant request
- g. Statement of relationship of the project to the overall mission and purpose of HAVEN

**(D) SOLICITATION OF FUNDS: ACCEPTING GRANTS** | In the course of public solicitation, any HAVEN employee, representative or entity may be asked to accept a gift (i.e. money, consigned or encumbered property and equipment, merchandise, or services) for HAVEN or one of its entities. No one is empowered



to act as a representative of HAVEN in this capacity unless specifically designated by the CEO or director of development.

**(E) SOLICITATION OF FUNDS: INDIVIDUAL SOLICITATION** | HAVEN employees are great ambassadors for the organization. Over time relationships by employees with constituents can be built in an effort to solicit funds from these individuals. To help ensure current financial objectives and strategies of HAVEN are being met the development office should be involved in all personal solicitations. Potential donors are to be treated as potential donors to HAVEN, and not specifically program donors. No individual solicitation of donors should occur without direct involvement/knowledge of the development office.

## **ARTICLE IV | GIFT ACCEPTANCE GUIDELINES**

Whether HAVEN will accept a gift or asset involves several factors, including, but not limited to, (1) the value of the gift or asset, (2) the type of gift or asset, (3) whether there are restrictions on the gift or asset, and (4) whether a planned gift will be used. Some gifts will and some gifts will not require approval. This Article IV will determine the necessary approvals for all gifts.

### **SECTION 4.01 GIFTS NOT REQUIRING APPROVAL**

Any representative of HAVEN may accept the following types of gifts, which shall not require approval:

- (A) Unrestricted gifts of money or marketable securities:
- (B) Restricted gifts of money or marketable securities to existing funds and programs at HAVEN without increased restrictions;
- (C) Unrestricted gifts of life insurance where HAVEN is named only as a beneficiary.

### **SECTION 4.02 GIFTS REQUIRING APPROVAL BECAUSE OF RESTRICTED NATURE**

Restricted gifts benefitting a particular department, other than those described in Section 4.01(B) above, shall require the approval of the GRC.

Absent any documented restriction associated with a gift, all amounts received will be treated as unrestricted gifts.

### **SECTION 4.03 GIFTS REQUIRING APPROVAL BECAUSE OF THE TYPE OF PROPERTY GIFTED**

Gifts that fall outside the parameters listed in Section 4.01(B) above shall be subject to the following guidelines.

- (A) **Gifts of Real Property** | All gifts of real property, including, but not limited to, improved and unimproved land, single-family dwellings, apartment buildings, condominiums, office buildings, farms, leasehold interests, time-share interests, oil and gas interests and gifts subject to a retained life estate must be approved by the GRC. The following information will be provided to the GRC before HAVEN accepts a gift of real property:
  - a. Fair Market Value and Marketability | A current determination of fair market value of the property and the source thereof, a summary of what HAVEN intends to do with the property and how long it expects to hold the property.

- b. **Inspection, Title and Compliance with Environmental Audit Plan |** The Donor may be required to complete HAVEN's Environmental Questionnaire for each interest in real property. Further, HAVEN requires (a) a physical inspection of the real property by a HAVEN real estate officer or agent; (b) satisfactory evidence of marketable title; (c) an environmental public records search (and when appropriate, a geologic survey/screens search); and (d) compliance with the Environmental Audit Plan for HAVEN. Such Environmental Audit Plan may require environmental assessments (such as Phase I and Phase II assessments) and remediation. It is generally anticipated that the costs associated with such assessment and remediation will be the responsibility of the Donor. However, because such assessment also benefits HAVEN, in making its determination of whether to accept such gift, HAVEN may incur or reimburse the Donor for all or a portion of the costs of assessment and remediation if it deems it appropriate to do so under the circumstances.
  - c. **Encumbrances/Restrictions |** All pertinent details regarding mortgages, deeds of trust, restrictions, reservations, easements, tax and mechanic liens and other limitations and encumbrances. It shall be the general policy of HAVEN not to accept real property subject to debt if the loan ratio exceeds 45%, but exceptions may be approved by the GRC.
  - d. **Carrying Costs/Revenue |** A summary of estimated carrying costs, including, but not limited to, taxes, insurance, association dues, membership fees and transfer charges. Estimated revenue, if any.
  - e. **Title Information |** It shall be the general policy of HAVEN to require a title insurance policy for the fair market value of the property, though the GRC may approve exceptions.
- (B) Gifts of Tangible Personal Property |** Gifts of tangible personal property that exceed (or are reasonably expected to exceed) \$50,000.00, including but not limited to, works of art, manuscripts, literary works, tickets to athletic events, vehicles and computer hardware and software, shall require the approval of one GRC member, with preference given to the Director of Development & Marketing, and the appropriate official at HAVEN who will use the gifted property, if applicable.

#### **SECTION 4.04 GIFTS REQUIRING APPROVAL BECAUSE OF GIFT VEHICLE USED**

Gifts that involve a planned gift require the approval of the GRC as provided herein.

- (A) Types of Gift Vehicles Permitted |** The following types of gifts are deemed to be “planned gifts” and are permitted without prior GRC approval unless otherwise noted, so long as the following minimum guidelines, if any, are met:
- a. Charitable Remainder Trust Administered by HAVEN
    - i. Minimum Age or Term: Age 50 or maximum 20-year term
    - ii. Minimum Present Value Remainder Interest: Greater of \$10,000 or 10% initial fair market value.
    - iii. Maximum Payout Rate: Recommended rate issued by the American Council on Gift Annuities, not to exceed 10%. Any payout rate above the recommended rate shall require approval of the GRC.

- iv. Trusts should be limited to cover no more than two lives (one survivorship).
- v. When an income interest is to be retained by the Donor, the assets offered must be sufficient value to produce the income the Donor anticipates. Otherwise, special permission must be obtained by the GRC.
- vi. All personal and real property gifts into a Charitable Remainder Trust must have at least one current independent appraisal. Generally, the Donor will be expected to provide the appraisal.
- vii. When a trust is to be funded with assets other than cash or those readily convertible to cash, a “net income unitrust” should generally be used. This obligates the trustee to pay only the lower of: (1) fixed percentage of the fair market value of the trust corpus; or, (2) actual net income.
- viii. When a “fixed rate, income only with make-up privilege” unitrust is used, a separate letter of agreement between HAVEN and the Donor should be signed indicating that the Donor understands the “income only” concept which means he or she will receive income only if the trust is earning income, but unpaid income can be made up when the trust begins to earn sufficiently.
- ix. Proposed Charitable Remainder Trusts should have assets of at least \$25,000. Trusts can be established for lesser amounts if it can be determined that the charitable remainder portion of the gift is sufficient to handle the administrative costs and provide a substantial future gift.
- x. Interest rates for Charitable Remainder Trusts are negotiable. Present laws require that a trust pays beneficiaries a minimum of 5%.

**(B) Charitable Gift Annuities** | Because gift annuities are level income gifts, an annuitant’s purchasing power will decrease against inflation. Therefore, only Donors whose inflation-adjusted annuity benefits will not be greatly diminished should consider establishing a gift annuity. In general, Donors over 60 years old are the most appropriate gift annuitants. A minimum amount guideline must take into consideration the desired ultimate charitable value of the gift annuity, which is a function of expected total return of the gift annuity pool, expenses and the annuitants’ expected life spans. Such a calculation is complex should be completed each time a gift annuity is established. The following guidelines are recommended for immediate and deferred gift annuities:

- a. **Minimum age** | The minimum age of an income beneficiary for a charitable gift annuity at HAVEN must be 50, unless it is a “deferred” annuity with payments beginning at age 60 or higher. This applies both to present and to deferred gift annuities. Exceptions shall be only be made on a case-by-case basis with the director of development & marketing.
- b. **Maximum Number of Annuitants** | Charitable gift annuity agreements will not be written at HAVEN for annuities that span more than two generations (i.e. Donor and child).
- c. **Minimum Amount** | The minimum amount that shall be required to establish a charitable gift annuity at HAVEN is \$10,000. Exceptions shall only be made on a case-by-case basis with director of development & marketing approval.
- d. **Maximum Payout Rate** | Recommended Rate issued by the American Council on Gift Annuities. Any payout rate above the Recommended Rate shall require approval of the GRC.

- e. HAVEN staff, volunteers, representatives or agents will not promote charitable gift annuities as investment vehicles or compare them to investment alternatives. The charitable gift annuity will be promoted as a gift vehicle that gives cash payments to a Donor or others for life in return for a gift to HAVEN.
- f. A gift annuity agreement funded with non-liquid assets (i.e. real estate or personal property) will not be encouraged.
- g. HAVEN will use charitable gift annuity rates that conform to the uniform gift annuity rates advised by the American Council on Gift Annuities. HAVEN personnel will use standard computer software in computing gift annuity rates, tax deductions and remainders.
- h. The assets from charitable gift annuities will be invested by HAVEN in appropriate long-term investment vehicles (i.e. vehicles with objectives similar to those of General Endowment Funds), and will pay annuitants or other income beneficiaries from these investments. HAVEN will not use any charitable gift annuity assets until each gift annuity has completed its payout period.
- i. In general, gift annuity agreements at HAVEN will be written for unrestricted gifts only. A Donor may not designate specific programs of HAVEN as recipients of annuity remainders. Exceptions shall only be made on a case-by-case basis with director of development & marketing approval.
- j. All the normal review and gift acceptance procedures for outright gifts of real property will apply to gift annuities where real property is involved in funding the gift annuity. (See Section 4.03 (A)).
- k. HAVEN will make certain disclosures to a gift annuitant, including: (1) that a gift annuity generates a level income and payments will not be adjusted for inflation over time; (2) that HAVEN's general assets back the annuity payment; and (3) that Donors will receive a statement showing their income over their estimated lifetimes and the tax nature of the income.
- l. Within that context, HAVEN will specify to Donors the year when the income becomes fully taxable at ordinary rates. Donors will also be provided with the remainder value calculation for their gifts. Donors will also be notified that the choice of Applicable Federal Rate (AFR) used to calculate the value of the annuity affects not only the remainder value but also the amount of tax free income generated by the gift annuity. The higher the CMFR, the higher the remainder value and the more taxable income.
- m. New gift annuity assets will be pooled and invested as part of HAVEN's asset pool. The pool is used as a source of gift annuity payments.
- n. HAVEN's development office will prepare and/or approve gift annuity agreements to be executed by either the director of development or the CEO and the Donor.
- o. Acceptable assets to fund a gift annuity generally must be liquid, although HAVEN may accept illiquid assets with the approval of the GRC. Illiquid assets in excess of \$250,000 may be accepted only upon the approval of the GRC. When illiquid assets fund a gift annuity, the payout rate will be based on a value that is at least 10% less than the appraised value of the gifted asset. The result will be a lower payout rate to the Donor. The Donor's charitable tax deduction amount will still be determined based on the appraised amount.

- p. Investment of gift annuity funds shall be overseen by the finance team with the current investment policy for life income funds established by the Finance Committee of HAVEN.

**(C) Bargain Sales |**

- a. A bargain sale gift will be accepted only after review by the director of development and the CEO.
- b. A letter of understanding outlining the terms and conditions of the gift, possible tax consequences and cautions regarding a subsequent sale of the property by HAVEN, will be required before such a gift is approved.

**(D) Bequests-Gifts by Will |**

- a. HAVEN welcomes bequest intentions benefitting HAVEN and other appropriate charitable organizations and treats them as revocable deferred gift commitments to those organizations. Because family members may not agree with the Donor's charitable wishes in every instance, Donors will be encouraged to communicate with family members regarding a charitable bequest.
- b. HAVEN staff, agents or representatives should not be named in a Donor's will or trust or act in any official capacity such as witness, attorney-in-fact, executor, or trustee. Any exceptions should be approved in advance by the director of development after complete disclosure of all attending circumstances and upon the advice and review of legal counsel for HAVEN.
- c. Documents such as releases, waivers and final accountings may require the signature of a HAVEN representative. These should be reviewed by the director of development, in consultation with HAVEN legal counsel where appropriate, prior to being executed by a duly authorized HAVEN representative.
- d. Bequests will be recorded in the Expectancy File for the value indicated in the Donor's will, if any. If no specific amount is indicated in the Donor's will, the bequest will be recorded at a value of \$1,000.
- e. HAVEN shall not prepare wills or living trusts for individuals. However, proper wording for a bequest remembering HAVEN may be provided. In addition, assistance with either will or living trust preparation may be proper so long as the final document is drafted by the prospective Donor's attorney.
- f. HAVEN reserves the right to disclaim a bequest provision if, in the judgment of HAVEN, the terms are not in its best interest.

**(E) Pledges |**

- a. Pledges with a payment schedule exceeding five (5) years must be submitted to the GRC;
- b. All pledges require a signed pledge card or other written evidence;
- c. Records of all pledges will be maintained in a separate file;
- d. HAVEN will periodically send pledge reminders in accordance with the terms of the pledge.

**(F) Partial Interest Gifts-Life Estate Agreements; Gifts of Remainder Interest in Personal Residence or Farm; Gift Annuity for Home; etc. |**

- a. Partial interest gifts will be reviewed case-by-case by the GRC based on an analysis of the risks and rewards inherent in the individual gift.
- b. All the normal review and gift acceptance procedures for outright gifts of real estate apply to gifts of real estate in which a life estate interest is retained. (See Section 4.03)

**(G) Outright Gifts of Personal Property |**

- a. The director of development will recommend that a Donor of personal property should comply with IRS Form 8283 reporting requirements for non-cash gifts. An authorized representative of HAVEN will execute the donee acknowledgment section of Form 8283 and return it to the Donor so that it may be filed with the Donor's federal income tax return.
- b. The director of development and the CEO will review and approve gift acceptance, compatibility, maintenance, storage and transportation costs for non-cash gifts of personal property prior to acceptance.
- c. Legal counsel for HAVEN will review proposed gifts of personal property for undisclosed contingent liabilities prior to acceptance.
- d. HAVEN will not accept a gift making it a principal in a joint venture or business activity in which it participates fully in the risks of operation, and has more than limited liability for the conduct of the business without the approval of the Board of Directors.

**(H) Outright Gifts of Real Property |**

- a. The director of development will recommend that a Donor of real property should comply with Form 8283 reporting requirements for non-cash gifts. An authorized representative of HAVEN will execute the donee acknowledgment section of Form 8283 and return it to the Donor so that it may be filed with the Donor's federal income tax return.
- b. Legal counsel for HAVEN will review proposed gifts of real property for disclosed and undisclosed contingent liabilities prior to acceptance.
- c. Generally, restrictions on gifts of real property will be discouraged. Restrictions must be considered by the appraiser of the property for purposes of valuation and must be reviewed by the Board of Directors.
- d. HAVEN should consider securing adequate insurance coverage for accepted gifts of real property while these gifts are held prior to liquidation.
- e. Donors who propose gifts of real property to HAVEN will be asked to provide HAVEN the following documents:
  - i. A qualified appraisal, completed within six months of the date of transfer; which shall be the responsibility of the Donor.
  - ii. Evidence of clear title plus a title search giving the history of ownership of the property;
  - iii. CERCLA Phase I environment test of the property (See Section 4.03(A));
  - iv. A copy of the current deed to the property;
  - v. A statement that the property is free and clear of litigation, liens and encumbrances;
  - vi. A hold harmless agreement whereby HAVEN is indemnified for liabilities occurring prior to the date of transfer.
  - vii. If the property involves rental units or is owned by a real estate partnership, the Donor will be asked to furnish rent rolls and operating statements as well as the tax returns for the two most recent years. If the property involves a real estate partnership or other ownership entity, HAVEN requests a copy of the operating agreement.
- f. HAVEN staff or representatives negotiating a gift of real property with a Donor will employ comprehensive environmental and financial checklists to ensure that

appropriate due diligence is completed and documented. Checklists will be developed to accompany this section of the policy for non-cash gifts and will be updated from time to time as appropriate checklists are devised or made available.

- g.** HAVEN will not accept a gift making it a principal in a joint venture or business activity in which it participates fully in the risks of operation, and has more than limited liability for the conduct of the business without the approval of the President of the Board of Directors.
- h.** HAVEN requires all gifts of interest in mining or oil and gas properties, and any other gift that HAVEN deems appropriate, must first be inspected by a properly licensed or certified professional as approved by HAVEN. This is done as may be required to demonstrate due diligence and care in accepting the property as free from contamination. This should be documented properly for legal purposes and done in consultation with legal counsel for HAVEN.

**(l) Others As Determined In The Discretion Of The GRC** | The GRC may, in its discretion, expand or limit the types of gift vehicles requiring review.

- a.** Written Summary to GRC | Unless delay in submitting a planned gift to the GRC would hinder or prejudice the progress of a planned gift, a written summary shall be presented before final acceptance or rejection of the gift by HAVEN. In all events, early communication with the GRC is encouraged. The summary presented to GRC shall contain, at least, the following information:
  - i.** Description of assets;
  - ii.** Ages(s) of Donor(s);
  - iii.** Ages of income beneficiaries and relationship to the Donor;
  - iv.** Purpose of the gift;
  - v.** Recommended Rate for comparable charitable gift annuity;
  - vi.** Gift technique utilized, and the details thereof;
  - vii.** Estimated fair market value and marketability;
  - viii.** Income expenses, encumbrances, risks, etc., associated with the gift assets;
  - ix.** Carrying costs and/or disposition plans cost;
  - x.** Present value of interest receivable by HAVEN; and
  - xi.** Financial analysis, as appropriate
- b. Gifts Within Minimum Guidelines** | All planned gifts that meet the minimum guidelines, as described in Section 4.04 (A) above, shall be approved by any two members of the GRC, one of which must be the director of development or CEO. No gifts for which HAVEN shall act as Trustee shall be accepted until the director of development or CEO have been notified of the planned gift.
- c. Gifts Outside Minimum Guidelines** | All planned gifts that do not meet the minimum guidelines, as described in Section 4.04 (A) above, must be approved by the GRC. Reasonable effort will be made to inform and give all GRC members an opportunity to be present to vote (or otherwise be heard) on such approval.

## **ARTICLE V | SERVING AS A TRUSTEE AND/OR FIDUCIARY**

### **SECTION 5.01 GENERAL POLICY**

HAVEN may serve as a trustee or other fiduciary for the following:

**(A) Planned Gift Established with the Assistance of the Development Offices**

| Any planned gift established with the assistance of the development office that either (1) meets the minimum guidelines or (2) has been approved by the GRC. In addition, any revocable or irrevocable trust in which HAVEN is a 25% beneficiary of either income, principal or both, subject to the approval of the GRC.

**(B) Planned Gifts Established Without the Assistance of the Development and Planned Giving Offices**

| For any planned gift established without the assistance of the development office in which HAVEN is a 25% beneficiary of either income principal, or both; provided however, prior to agreeing to act as trustee, HAVEN shall have the opportunity to review the trust agreement and the asset inventory to ensure that such agreement conforms to HAVEN policies, and the gift shall be approved by the GRC. HAVEN also reserves the right to review the economic circumstances and charitable intentions of Donors prior to agreeing to act as Trustee.

**SECTION 5.02 REVOCABLE LIVING TRUST AUTHORITY** | The MICHIGAN GENERAL CORPORATION ACT (Act 327 of 1931) and SUPERVISION OF TRUSTEES FOR CHARITABLE PURPOSES ACT (Act 101 of 1961) allow charitable organizations to act as trustee of trusts for which they have a beneficial interest. The oversight and administration of trusts shall be the responsibility of the director of development.

**SECTION 5.03 INVESTMENT GUIDELINES**

(A) General Rule | As a general rule, planned gifts are invested with consideration given to the size of the gift, the payout requirement of the gift vehicle, the life expectancy of the beneficiary, the risk tolerance of the income beneficiary (if a charitable remainder trust or revocable trust), and the ultimate remainder interest to HAVEN desired by the Donor. Although the assets of trusts may be pooled or commingled to gain economies of scale, all trusts will be managed and, accounted for on an individual basis. HAVEN's management of planned gifts is subject to regulatory and fiduciary provisions such as the Prudent Investor Rule, the Internal Revenue Code, the Philanthropy Protection Act, the ESTATES AND PROTECTED INDIVIDUALS CODE and other applicable federal and state laws and regulations.

(B) Objectives | Depending on the type of gift vehicle, investment objectives may be:

- a. To generate current income to satisfy the needs of the trust beneficiary consistent with the preservation of capital; and/or
- b. To maximize long-term total return while balancing reasonable growth with maintenance of prudently acceptable risk, and/or
- c. A combination of 1 and 2

(C) Authorized Investments | Permitted investments for planned gifts are subject to the oversight of (1) HAVEN's Finance Committee of the Board of Directors; and (2) HAVEN's Board of Directors.

(D) Trust Administration and Reporting | Each trust shall be accounted for separately whether separately invested or commingled in investment pools. The Donor and/or



current beneficiaries shall receive, at least annually, an asset statement and transaction statement.

#### **SECTION 5.04 HAVEN EMPLOYEES AS TRUSTEES/EXECUTORS**

No employee of HAVEN may serve as trustee or executor of a Donor's planned gift, trust or estate without first obtaining the approval of the GRC. If approval is granted by the GRC to an employee to serve in such capacity, the employee may not sue HAVEN's personnel or resources without first documenting HAVEN's relationship through an agency agreement.

#### **SECTION 5.05 TRUSTEE FEES AND EXPENSES**

Whenever feasible and agreeable to the Donor, planned gifts should be drafted to provide that HAVEN may receive trustee fees for acting, as a fiduciary in accordance with an established fee schedule. In many cases, payment of such fees is not desirable or advisable, in which case trust fees for management and administration will be paid from remaining assets at the termination of the deferred gift in accordance with an established fee schedule, as modified from time to time (unless objected to by the Donor or prohibited in the trust agreement). Direct costs associated with managing a trust such as tax preparation, legal fees, custody and investment advisory fees, maintenance and repair costs, etc., will be paid directly by the trust as they are incurred.

#### **SECTION 5.06 PHILANTHROPY PROTECTION ACT**

HAVEN shall comply with the provisions of the Philanthropy Protection Act with regard to the pooling of assets in all trusts and planned gifts.

### **ARTICLE VI | REIMBURSEMENT TO THE DONOR OF REASONABLE EXPENSES**

**(A) Policy on Reimbursement** | A Donor is generally responsible for the reasonable third-party expenses (excluding costs of HAVEN's own advisors) incurred to establish a gift with HAVEN. However, there may be instances where such expenses to establish a gift may be paid by HAVEN or may be reimbursed to a Donor by HAVEN upon completion of a gift. Such reimbursement shall constitute a "quid pro quo" transaction, resulting in a decrease to the Donor's tax deduction and such information must be disclosed in writing to the Donor.

**(B) Procedures of Reasonable Reimbursement** | Reasonable attorney fees, accounting fees, and other professional fees, as well as other costs to establish a gift (i.e. appraisal fees and escrow fees) may be reimbursed to a Donor only, if at all, when the gift is made irrevocable. Notwithstanding the general policy that HAVEN does not pay and "finder fees" to professionals who assist in procuring a gift to HAVEN, HAVEN may make exceptions to such policy by approval of the GRC.

- a. In the case of reimbursement to the Donor of the Donor's legal, accounting or other professional fees, it shall be stated in writing and signed by the Donor that he or she understands that HAVEN is reimbursing reasonable professional fees, and that such professional represents the Donor only and not HAVEN, notwithstanding that HAVEN is reimbursing such professional's fees.

- b. Reimbursement shall be made directly to the Donor upon presentation of reasonable proof of expenses incurred, and not to any service provider such as an attorney.
- c. Notwithstanding anything stated in this Policy to the contrary, HAVEN shall not pay any trustee fee to the third-party trustee or other fiduciary of a trust created by the Donor, or reimburse the Donor for any such trustee fee.

## **ARTICLE VII NAMING GUIDELINES**

**SECTION 7.01 BACKGROUND** | HAVEN intends to recognize people or sponsors who have supported HAVEN, either through distinguished effort or substantial financial endowment, by naming facilities in their honor. This policy sets out the procedures for the naming, for a fixed period or indefinitely, of structures, outdoor facilities, and collections in order to honor a person for outstanding service to HAVEN or for outstanding service consistent with HAVEN's mission; or to acknowledge publicly the financial support to HAVEN by a sponsor. HAVEN will only recognize outstanding contributions. The recognition will balance the significance of the facility being named with the contribution made.

### **SECTION 7.02 NAMING OPPORTUNITIES |**

#### **(A) Structures |**

- a. A building will normally be known by its function where this is evident, but may also be given a chosen name. Where a building is multipurpose, the functional name will normally be that of its predominant activity. Dedicated areas within the building may be named as a wing or annex.
- b. Entire buildings or parts of buildings may be given a chosen name. Parts of buildings that may be named are wings, floors, halls, galleries, rooms and laboratories. This can be accomplished by installation of commemorative plaques.

#### **(B) Outdoor Facilities |**

- a. Outdoor facilities encompass gardens, parks, lawns, quadrangles, courtyards, squares, ovals or playing fields, roadways and walkways.
- b. The preferred nomenclature for roadways used by cars is 'Drive' and the preferred nomenclature for walkways is 'Way'.

**(C) Collections |** Collections encompass libraries or parts of libraries and other collections of significant size and continuing scientific, historic, artistic or cultural value.

**SECTION 7.03 HONORING INDIVIDUALS |** Naming honors people with a record of distinguished service to HAVEN or for outstanding service consistent with HAVEN's mission.

- (A)** All proposals shall be submitted to the GRC. The GRC will seek appropriate advice before making recommendations on any major naming decision.
- (B)** HAVEN may consider honoring people who have given such distinguished service to HAVEN that their names should be recognized by a later generation.
- (C)** A plaque may be placed on a facility to acknowledge a named person. The design, wording and location of the plaque require the approval of the GRC.
- (D)** As a general principle, buildings will not be named after people who are distinguished only for their contributions to particular programs. Those people

should be recognized by the naming of parts of buildings that actively engage with the program.

**SECTION 7.04 SPONSORSHIP AND DONATIONS** | Naming may be in honor of sponsors or Donors, who may be individuals, groups of individuals, groups of individuals, or corporations.

- (A) All negotiations for naming opportunities will be conducted by the development officer who is working with the Donor on behalf of the GRC. The development officer who is working with the Donor will seek appropriate advice from the GRC, and the GRC may make a recommendation to development officer who is working with the Donor on any naming decisions.
- (B) Most naming opportunities will arise in the context of a major capital campaign. The campaign manager will generally develop a list of naming opportunities for the campaign. The development office will maintain a list of naming opportunities.
- (C) The nature of the sponsorship may assist in the determination of the naming opportunity available to a particular sponsor. Normally, meeting more than half of the capital cost of a building or more than half of the cost of smaller facilities may warrant consideration of granting naming opportunities to the sponsor. Generally, such naming opportunities would be granted where there is a minimum commitment of five years.
- (D) A position may be named in honor of a sponsor who has contributed all or a substantial part of the full costs relating to its establishment, and will contribute sufficient recurrent funding to maintain it or substantially maintain it for at least five years.
  - a. The option of funding a position in perpetuity is negotiable and would require assurances of sufficient recurrent funding.
  - b. Recurrent funding is the cost of a salary and an appropriate percentage of non-salary costs for an acceptable period of time.
- (E) If the cost of an education program or series is met by a sponsor, consideration will be given to naming the program or series after the sponsor or other specified person.
- (F) A plaque may be placed on a building, room, or facility to acknowledge a sponsor. The design, wording and location of the plaque require the approval of the GRC and director of marketing.

**Naming opportunities carry no power of direction to HAVEN on matters of appointment of persons, policy or any other HAVEN processes.**

## **SECTION 7.05 GENERAL GUIDELINES**

- (A) The name used should normally be the family name or, in the case of a corporate entity, the shortest possible name. Unless the GRC determines otherwise, a person's or corporation's name may be used in naming a HAVEN facility only once.
- (B) Where the name of a corporate entity is used, the period of naming will be limited to the life of the corporate entity.

- (C) In the event of demolition or destruction of a structure, its name or any parts of it may be the subject of further recommendations. No structure currently scheduled for demolition shall be named after a person.
- (D) Naming a building in honor of a person who has given extraordinary distinguished service to HAVEN will not normally be considered until after that member's substantive formal relationship with HAVEN has ended.
- (E) The style of naming of structures and facilities should be consistent with GRC standards.
- (F) The HAVEN Board of Directors may cancel a name for whatever reason it deems appropriate.
- (G) Facilities will not normally be named to honor persons who have no formal connection with HAVEN unless they are substantial sponsors. Exceptions may be considered, however, and, where deemed appropriate, include:
  - a. Names associated with the land, or any other facilities, on which HAVEN is located; or
  - b. Names from or associated with HAVEN's history.
- (H) HAVEN will consider the naming of a building in recognition of a corporation which is a benefactor when that corporation:
  - a. Provides not less than 50% of the capital cost of the building; or
  - b. Supports HAVEN with gifts exceeding \$3 million;
  - c. The name will not actually be placed on the building until HAVEN has received at least 50% of the contribution.
- (I) HAVEN will consider the naming of a building in recognition of an individual who is a benefactor when that individual:
  - a. Provides not less than 40% of the capital cost of the building; or
  - b. Supports HAVEN with gifts exceeding \$3 million;
  - c. The name will not actually be placed on the building until HAVEN has received at least 50% of the contribution.
- (J) HAVEN will consider the naming of a part of a building in recognition of a corporation which is a benefactor when that corporation:
- (K) HAVEN will consider the naming of a part of a building in recognition of an individual who is a benefactor when that individual:
  - a. Provides not less than 40% of the estimated capital cost of the building part (using average square footage cost of the entire building); or
  - b. Supports HAVEN with gifts exceeding \$1 million;
  - c. The name will not actually be placed on the part of the building until HAVEN has received at least 50% of the contribution.
- (L) The GRC shall consider compliance with the established naming opportunities policy; whether the donation is from a potentially controversial source; appropriate signage; compliance with the required approval process for accepting donations, whether a Donor contract is appropriate, and if so, the terms thereof; citizen input; and any other relevant factors. In addition, upon notice to the Executive Committee of the HAVEN Board of Directors, the GRC may refuse any financial and/or in-kind donation if it is deemed to not be in the best interest of HAVEN. Notwithstanding any of the proceeding guidelines, the Executive Committee of the HAVEN Board of Directors has discretion in special circumstance, to approve the naming of a HAVEN facility as it deems appropriate.

## SECTION 7.06 PROPOSALS

- (A) Any proposal for naming shall be made in formal submission to the GRC.
- (B) A proposal for naming after an extraordinary person shall be accompanied by a comprehensive citation. Proposals in recognition of distinction in a particular program should, where relevant, be made through the program director concerned with assistance from the director of development.
- (C) The GRC will examine all formal proposals for the naming of HAVEN facilities and approve or disapprove the naming.
- (D) Proposals submitted to the GRC must have the written approval of the person after whom the naming is to take place. If the person is deceased, the approval of the family should normally have been obtained. If the person is deceased and there is no family, the naming process can proceed.

### Adopted and Approved by:

HAVEN Board of Directors on \_\_\_\_\_, 2024.

By: \_\_\_\_\_

(Signature)

\_\_\_\_\_

(Title/Position)



# DONOR BILL OF RIGHTS

At HAVEN, we are dedicated to nurturing trust and transparency in every interaction with the general public, our community partners, esteemed donors and prospective donors. We deeply appreciate the support and contributions that empower us to deliver vital services to individuals affected by intimate partner violence and sexual assault. Philanthropy, rooted in voluntary action for the collective welfare, embodies a tradition of giving and solidarity essential to enhancing quality of life. To uphold the integrity of philanthropy, earn the confidence of the broader community and ensure that donors entrust us with full faith, we affirm that every donor possesses these fundamental rights:

## I.

HAVEN views donors as partners in our mission to create a world free from intimate partner violence and sexual assault. We recognize and honor the importance of your contribution, regardless of its size.

## II.

To be informed of HAVEN's mission, of the way HAVEN intends to use donated resources and of its capacity to use donations effectively for their intended purposes.

## III.

To be informed of the identity of those serving on HAVEN's board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.

## IV.

To have access to HAVEN's most recent financial statements.

## V.

To be assured their gifts will be used for the purposes for which they were given.

## VI.

To receive appropriate acknowledgement and recognition.

## VII.

To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by law.

## VIII.

To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.

## IX.

To be informed whether those seeking donations are volunteers, employees of HAVEN or hired solicitors.

## X.

To feel free to ask questions when making a donation and to receive prompt, truthful and forthright communication in an accessible manner.



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# DONOR BILL OF RIGHTS

## XI.

HAVEN is dedicated to continuous improvement in our fundraising practices and donor relations. We welcome feedback from donors to help us enhance our processes.

## XII.

To be informed of HAVEN's mission, of the way HAVEN intends to use donated resources and of its capacity to use donations effectively for their intended purposes.

## XIII.

HAVEN does not discriminate against any individual or group on the basis of race, ethnicity, religion, gender, sexual orientation, age, disability, or any other characteristic protected by law. We welcome support from donors of all backgrounds and beliefs.

## XIV.

HAVEN recognizes and upholds the rights of donors as outlined by relevant laws and ethical guidelines. We are committed to ensuring that donors are informed, empowered, and treated with fairness and respect in all interactions with our organization.

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## CONTACT US

### HAVEN

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Crisis Line | 248-334-1274

### Contact Development

Jennifer Porter  
Director of Development  
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### Follow HAVEN

Facebook | HavenOnline  
Instagram | @haven\_oakland  
YouTube | HAVEN\_Oakland  
LinkedIn | HAVEN Oakland County

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Adopted in 2024 | HAVEN Inc

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**HAVEN | GIFT POLICIES AND GUIDELINES**  
**ADDENDUM B | MODEL STANDARDS OF PRACTICE OF THE CHARITABLE GIFT PLANNER**

**PREAMBLE |**

The purpose of this statement is to encourage responsible gift planning by urging the adoption of the following Standards of Practice by all individuals who work in charitable gift planning process, gift planning officers, fundraising consultants, attorneys, accountants, financial planners, life insurance agents and other financial services professionals (collectively referred to hereafter as “Gift Planners”), and by the institutions that these persons represent.

This statement recognizes that the solicitation, planning and administration of a charitable gift is a complex process involving philanthropic, personal, financial, and tax considerations, and as such offer involves professionals from various disciplines whose goals should include working together to structure a gift that achieves a fair and proper balance between the interests of the Donor and the purposes of the charitable institution.

**I. PRIMACY OF PHILANTHROPIC MOTIVATION**

The principal basis for making a charitable gift should be a desire on the part of the Donor to support the work of charitable institutions.

**II. EXPLANATION OF TAX IMPLICATIONS**

Congress has provided tax incentives for charitable giving, and the emphasis in this statement on philanthropic motivation in no way minimizes the necessity and appropriateness of a full and accurate explanation by the Gift Planner of those incentives and their implications.

**III. FULL DISCLOSURE**

It is essential to the gift planning process that the role and relationships of all parties involved, including how and by whom each is compensated, be fully disclosed to the Donor. A Gift Planner shall not act or purport to act as a representative of any charity without the express knowledge and approval of the charity, and shall not, while employed by the charity, act or purport to act as a representative of the Donor, without the express consent of both the charity and the Donor.

**IV. COMPENSATION**

Compensation paid to the Gift Planners shall be reasonable and proportionate to the services provided. Payment of finders fees, commissions or other fees by a done organization to an independent Gift Planner as a condition for the delivery of a gift are never appropriate. Such payments lead to abusive practices and may violate certain state and federal regulations. Likewise, commission-based compensation for Gift Planner who are employed by a charitable institution is never appropriate.

**V. COMPETENCE AND PROFESSIONALISM**

The Gift Planner should strive to achieve and maintain a high degree of competence in his or her chosen area, and shall advise Donors only in areas in which he or she is professionally qualified. It is a hallmark of professionalism for Gift Planners that they realize when they have reached the limits of their knowledge and expertise, and as a result, should include other professionals in the process. Such relationships should be characterized by courtesy, tact and mutual respect.

**VI. CONSULTATION WITH INDEPENDENT ADVISORS**

A Gift Planner acting on behalf of a charity shall in all cases strongly encourage the Donor to discuss the proposed gift with competent independent legal and tax advisors of the Donor's choice.

**VII. CONSULTATION WITH CHARITIES**

Although Gift Planners frequently and properly counsel Donors concerning specific charitable gifts without the prior knowledge or approval of the done organization, the Gift Planners, in order to ensure that the gift will accomplish the Donor's objectives, should encourage the Donor, early in the gift planning process, to discuss the proposed gift with the charity to whom the gift is to be made. In cases where the Donor desires anonymity, the Gift Planners shall endeavor, on behalf of the undisclosed Donor, to obtain the charity's input in the gift planning process.

**VIII. DESCRIPTION AND REPRESENTATION OF GIFT**

The Gift Planner shall make every effort to assure that the Donor receives a full description and an accurate representation of all aspects of any proposed charitable gift plan. The consequences for the charity, the Donor and, where applicable, the Donor's family, should be apparent, and the assumptions underlying any financial illustrations should be realistic.

**IX. FULL COMPLIANCE**

A Gift Planner shall fully comply with and shall encourage other parties in the gift planning process to fully comply with both the letter and spirit of all applicable federal and state laws and regulations.

**X. PUBLIC TRUST**

Gift Planners shall, in all dealings with Donors, institutions and other professionals, act with fairness, honesty, integrity and openness. Except for compensation received for services, the terms of which have been disclosed to the Donor, they shall have no vested interest that could result in personal gain.

*Adopted and subscribed to by the National Committee on Planned Giving and the American Council on Gift Annuities, May 7, 1991. Revised April 1999.*