

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE SECRETARY OF THE COMMONWEALTH

Commonwealth of Pennsylvania, :
Bureau of Corporations and Charitable :
Organizations :
vs. :
Lesley M. Darrin, :
Respondent :

Docket No: 000-98-15
File No: 14-98-03482

PROTHONOTARY
2015 JAN 30 AM 11:32
Department of State

CONSENT AGREEMENT

The Commonwealth of Pennsylvania, Bureau of Corporations and Charitable Organizations (Bureau) and Lesley M. Darrin (Respondent) stipulate as follows in settlement of the above-captioned matter:

JURISDICTION

1. This matter is before the Secretary of the Commonwealth (Secretary) pursuant to the Solicitation of Funds for Charitable Purposes Act (Act), Act of December 19, 1990, P.L. 12000, No. 202, *as amended*, 10 P.S. §§ 162.1-162.24.
2. The Susquehanna Township Midget Football Association, the Susquehanna Township Girls Softball Booster Club and the Susquehanna Township Girls Basketball Booster Club are each organizations that receive charitable contributions in accordance with the Act.

STIPULATED FACTS

3. The Respondent admits to the following facts:
 - a. The last known mailing address for the Respondent is: 4210 Crooked Hill Road, Harrisburg, PA 17110.

PA DEPT. OF STATE
JAN 30 2015

b. At all relevant and material times, Respondent had access to or control of charitable contributions belonging to the Susquehanna Township Midget Football Association, the Susquehanna Township Girls Softball Booster Club and the Susquehanna Township Girls Basketball Booster Club.

c. At all relevant and material times, Respondent was acting in the capacity of a fiduciary for the organizations identified in paragraph 2, above.

d. During the period that Respondent had access to or control of charitable contributions belonging to the Susquehanna Township Midget Football Association, she used \$27,317.03 in funds belonging to the organization for purposes inconsistent with the organization's charitable purpose.

e. During the period that Respondent had access to or control of charitable contributions belonging to the Susquehanna Township Girls Softball Booster Club, she used \$15,569.83 in funds belonging to the organization for purposes inconsistent with the organization's charitable purpose.

f. During the period that Respondent had access to or control of charitable contributions belonging to the Susquehanna Township Girls Basketball Booster Club, she used \$2,568.96 in funds belonging to the organization for purposes inconsistent with the organization's charitable purpose.

AGREED VIOLATIONS

4. Respondent agrees that by engaging in the aforementioned activities she committed the following violations of the Act:

a. Respondent violated Section 162.15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through actions that were not in accordance with Section 162.13(a), 63 P.S. § 162.13(a), in that, when Respondent misappropriated charitable contributions in the amount of \$46,455.82 belonging to the Susquehanna Township Midget Football Association, the Susquehanna Township Girls Softball Booster Club and the Susquehanna Township Girls Basketball Booster Club for her personal use, needs and benefit, she caused each organization to apply contributions in a manner that was not consistent with each organization's charitable purpose; and

b. Respondent violated Section 162.15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through actions that were not in accordance with Section 162.21, 63 P.S. § 162.21, in that Respondent, as Treasurer, failed to properly act as a fiduciary and breached the fiduciary duty she owed to the Susquehanna Township Midget Football Association, the Susquehanna Township Girls Softball Booster Club and the Susquehanna Township Girls Basketball Booster Club to assure that contributions were used in a manner consistent with each organization's charitable purpose.

PROPOSED ORDER

5. Intending to be legally bound, the participants consent to issuance by the Secretary of the following Order in resolution of this matter:

VIOLATION

a. Respondent violated Section 162.15(a)(1) of the Act, 10 P.S. § 162.15(a)(1), by and through actions that were not in accordance with Sections 162.13(a) and 162.21 of the Act, 10 P.S. §§ 162.13(a) and 162.21.

PUBLIC REPRIMAND

b. A **PUBLIC REPRIMAND** is hereby issued upon Respondent.

ADMINISTRATIVE FINE

c. An **ADMINISTRATIVE FINE** in the amount of **TWO-HUNDRED-FIFTY-DOLLARS (\$250)** is hereby imposed upon Respondent.

i. Respondent shall tender the full sum of **TWO-HUNDRED-FIFTY-DOLLARS (\$250)** when returning this executed Consent Agreement;

ii. Payment of the sum shall be by certified check, cashier's check, attorney's check, or money order issued by a usual, customary, and reputable issuer (e.g. U.S. Postal Money Order, Western Union Money Order, etc.).

iii. The instrument of payment shall be payable to the "Commonwealth of Pennsylvania," and shall be valid for a period of at least one-hundred-eighty (180) days.

iv. Respondent agrees that payment shall only be made by one of the methods indicated above and shall not be made by uncertified personal or corporate check.

COOPERATION WITH DISTRICT ATTORNEY

d. Respondent shall fully cooperate with the Dauphin County District Attorney's Office in all efforts taken by the office to pursue any actions and to achieve full restitution to the Susquehanna Township Midget Football Association, the Susquehanna Township Girls Softball Booster Club and the Susquehanna Township Girls Basketball Booster Club in this matter.

ADDITIONAL PROVISIONS

e. Respondent shall not represent, either directly or indirectly, that by this Consent Agreement the Bureau of Corporations and Charitable Organizations has sanctioned, condoned, approved or pardoned any part or aspect of Respondent's activities.

f. Respondent shall not, either directly or indirectly, participate in the future in any activities within the Commonwealth in violation of the Act.

g. Respondent shall not assume any position in any charitable organization, whether voluntary or paid, that involves the solicitation, collection or expenditure of contributions, or the accounting for the solicitation, collection or expenditure of contributions.

CASE SETTLED AND DISCONTINUED

h. This case shall be deemed settled and discontinued upon the Secretary issuing an Order that approves this Consent Agreement and adopts and incorporates the terms set forth in this paragraph.

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

6. Respondent waives the filing by the Bureau of an Order to Show Cause in this matter.

7. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter and knowingly and voluntarily waives the following rights related to that hearing: to be represented by counsel at the hearing, to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation, to cross-examine witnesses and to challenge evidence presented by the Bureau, to present legal arguments orally or through submission of a brief, and to take appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

8. Respondent acknowledges that she is aware that she has the right to consult with, and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. To the extent that Respondent is not represented by legal counsel, Respondent has knowingly elected to proceed without the assistance of legal counsel.

AGREEMENT NOT BINDING ON OTHER PARTIES

9. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other administrative entity of the Commonwealth of Pennsylvania, including any other bureau within the Department of State.

10. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Secretary issues an Order approving this Consent Agreement and adopting and incorporating the terms set forth in paragraph 5, above.

EFFECT OF SECRETARY'S REJECTION

11. Should the Secretary of the Commonwealth decide not to approve this Consent Agreement, presentation to, and consideration of this Consent Agreement and other documents and matters by the Secretary of the Commonwealth shall not prejudice the Secretary from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Secretary does not approve this Consent Agreement.

AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES

12. The parties acknowledge that other federal, state and/or local agencies or governmental units may have jurisdiction over the activities of or representations made by

Respondent. Nothing in this Consent Agreement and Order shall preclude representatives of the Bureau from referring any information or data produced as a result of this matter to any federal, state or local agency or governmental unit having jurisdiction over the activities of Respondent.

ENTIRE AGREEMENT

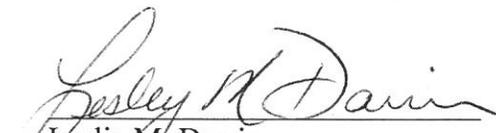
13. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

VERIFICATION OF FACTS AND STATEMENTS

14. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information, and belief. Respondent understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.


Robert B. Armour
Prosecuting Attorney
Department of State

Date: 01/21/15


Leslie M. Darrin
Respondent

Date: 1/7/15



IN THE MATTER OF:

**THE COMMONWEALTH OF PENNSYLVANIA, BUREAU OF
CORPORATIONS AND CHARITABLE ORGANIZATIONS vs.
LESLEY M. DARRIN**

**DOCKET NO. -98-15
FILE NO. 14-98-03482**

ORDER

AND NOW, this 29TH day of January 2015 the foregoing Consent Agreement is hereby approved and the terms set forth in paragraph 5 are hereby adopted and incorporated herein as the Order of the Secretary of the Commonwealth, now issued in resolution of this matter.

THIS ORDER shall take effect immediately.

BY ORDER

Pedro C. Cortés
Pedro Cortés
Acting Secretary of the Commonwealth

For the Commonwealth:

Robert B. Armour, Esquire
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105-2649

Respondent:

Lesley M. Darrin
4210 Crooked Hill Road
Harrisburg, PA 17110

Commonwealth of Pennsylvania
Department of State

DATE: January 21, 2015
SUBJECT: Remittance of Civil Penalty
TO: Martha Brown (through Jennifer Blyler)
2601 N. third Street
FROM: Robert B. Armour
Prosecuting Attorney

Attached please find documents and/or information regarding remittance of payment.

Respondent: Leslie M. Darrin,

Docket No.: -98-15

File No.: 14-98-03482

License No.:

Check/Money Order No.: 22122539291

Amount of Check: \$250.00

Civil Penalty: \$250.00

Costs of Continued Monitoring: N/A

If Installment, Balance Due: N/A

OK to Deposit Check WJB 2/4/2015
(Initial & Date when OK to cash)

Return Check to Jen due to rejection of Consent Agreement or other reason

(Initials) _____ (Initial & date upon receipt of check) _____

RBA/jp

Attachment

RECEIVED
FEB 3 2015
OFFICE OF CHIEF COUNSEL

