

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE SECRETARY OF THE COMMONWEALTH Department of State
2013 FEB -6 AM 7:17

Commonwealth of Pennsylvania	:	
Bureau of Charitable	:	
Organizations	:	
	:	
vs.	:	Docket No. 0033 -98-13
	:	File No. 12-98-07162
Women in Art in Pennsylvania,	:	
Respondent	:	

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations ("Bureau") and Women in Art in Pennsylvania ("Respondent") stipulate as follows in settlement of the above-captioned case.

JURISDICTION

1. This matter is before the Secretary of the Commonwealth ("Secretary") pursuant to the Solicitation of Funds for Charitable Purposes Act ("the Act"), Act of December 19, 1990, P.L. 1200, No. 202, *as amended* ("Act"), 10 P.S. §§ 162.1 *et. seq.*

2. At all relevant and material times, Respondent conducted business in Pennsylvania as a charitable organization, as defined by the Act.

3. Respondent is not registered as a charitable organization with the Bureau,

4. At all relevant and material times, Respondent was not exempt from registration with the Bureau.

STIPULATED FACTS

5. Respondent admits that the following allegations are true:

- a. Respondent's last known address is: 3140 West Tilghman Street, PMB #186, Allentown, PA 18104.
- b. Gloria Domina is the President of Respondent.
- c. On or about March 21, 2011, Respondent was ordered to Cease and Desist soliciting in the Commonwealth by the Secretary of the Commonwealth.
- d. On or about November 21, 2011, Respondent solicited contributions on its website, www.wiaipa.org.
- e. On or about January 4, 2012, Respondent solicited contributions on its website, www.wiaipa.org.
- f. Respondent does not maintain receipts, financial statements, or a general ledger.
- g. Respondent used contributions accepted through its PayPal account to purchase, among other items, a boxing glove set, a Donovan McNabb signed Eagles football, an Obama pin, and a Coach watercolor striped bag.

AGREED VIOLATIONS

6. Respondent admits and agrees that by engaging in the foregoing activities:
 - a. Respondent violated the Act at 10 P.S. § 162.15(a)(1) by violating an Order issued by the Secretary of the Commonwealth; and
 - b. Respondent violated the Act at 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.12, in that Respondent failed to keep true fiscal records of its activities; and
 - c. Respondent violated 10 P.S. § 162.15(a)(1), by and through § 162.13(a), in that when Respondent purchased certain items, it applied the contributions in a manner not consistent with its charitable purpose.

PROPOSED ORDER

7. The participants, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

- a. Respondent violated the Act at 10 P.S. § 162.15(a)(1);
- b. Respondent violated the Act at 10 P.S. § 162.15(a)(1), by and through 10 P.S. § 162.12; and
- c. Respondent violated 10 P.S. § 162.15(a)(1), by and through § 162.13(a).

ADMINISTRATIVE FINE

d. An **ADMINISTRATIVE FINE** of one thousand dollars (\$1,000.00) is levied upon Respondent. Respondent shall tender the full sum of one thousand dollars (\$1,000.00), with this executed Consent Agreement which shall be paid by **certified check, cashiers check, attorney's check, or U.S. Postal money order made payable to the "Commonwealth of Pennsylvania."** Respondent shall also pay any and all currently outstanding Administrative Fines levied by the Bureau's registration unit.

ADDITIONAL PROVISIONS

e. Respondent's President, Gloria Domina, shall not assume any position, whether voluntary or paid, with Respondent or in any charitable organization which involves the collection, expenditure, handling, or accounting of contributions.

f. Failure to comply with the above terms and conditions shall be deemed a violation of this Consent Agreement, and shall subject the Respondent and/or Respondent's President to an assessment of a civil penalty of \$1,000.00 per violation of the Act.

CASE SETTLED AND DISCONTINUED

8. This case shall be deemed settled and discontinued upon the Secretary issuing an Order adopting this Consent Agreement and the Respondent's successful completion of any ordered discipline. This Consent Agreement resolves all issues contained in the Bureau's Order to Show Cause filed with the Department of State Prothonotary's Office on August 17, 2012.

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

9. Respondent waives the filing of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to 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 by means of a brief; and to take an appeal from any final adverse decision.

AGREEMENT NOT BINDING ON OTHER PARTIES

10. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other administrative or governmental entity of the Commonwealth of Pennsylvania, including any other bureau within the Department of State. Except as otherwise noted, this Agreement is to have no legal effect if (a) the Office of General Counsel expresses an objection to the Agreement's form or legality and/or (b) unless and until the Secretary issues the stipulated Order.

EFFECT OF SECRETARY'S REJECTION

11. Should the Secretary not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Secretary 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.

ENTIRE AGREEMENT

12. This Agreement contains the whole agreement between the parties; 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.

AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES

13. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent. Nothing in this Consent Agreement or the Order based upon this Consent Agreement 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.

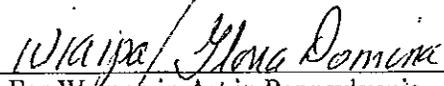
VERIFICATION OF FACTS AND STATEMENTS

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



Leonard Cowitch, Jr.
Prosecuting Attorney
Department of State

DATED: 2/1/13



For Women in Art in Pennsylvania
Name: GLORIA DOMINA
Title: DIRECTOR
Respondent

DATED: 1/28/13

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ORDER

AND NOW, to wit, on this 6th day of February, 2013, the terms of paragraph 7 of the foregoing Consent Agreement are hereby adopted and incorporated as the Order of the Secretary of the Commonwealth in resolution of this matter. This Order shall take effect immediately.

BY ORDER



Carol Aichele
Secretary of the Commonwealth