

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

PROTHONOTARY
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Department of State

Commonwealth of Pennsylvania,
Bureau of Charitable Organizations,

v.

Islamic Relief USA,
Respondent

Docket No. 0048 -98-11
File No. 11-98-09786

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations ("Bureau") and Islamic Relief USA ("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's initial registration as a charitable organization with the Bureau occurred on July 12, 2010, registration number 35907.
4. At all relevant and material times, Respondent was not exempt from registration or excluded from the requirements of the Act.

STIPULATED FACTS

5. Respondent admits that the following allegations are true:
- a. Respondent's last known business address, as on file with the Department of State, is 3655 Wheeler Avenue, Alexandria, VA 22304.
 - b. On or about May 8 2008, Respondent submitted initial registration materials to the Bureau for fiscal year ending December 31, 2006, but was rejected by the Bureau because registration for that time period had expired.
 - c. Between September 2008 and February 2009, the Bureau sent Respondent numerous letters outlining Respondent's deficiencies and/or omissions in its registration materials for fiscal year ending December 31, 2007.
 - d. On or about January 2010, the Bureau received evidence that Respondent continued to solicit contributions in the Commonwealth.
 - e. By June, 2010, Respondent had yet to respond to the Bureau's letter dated February 25, 2009.
 - f. On or about June 15, 2010, the Bureau sent via certified mail, a request for information including but not limited to the total number of Pennsylvania residents that contributed to Respondent's organization since Respondent first solicited in the Commonwealth, as well as the total amount of contributions received from Pennsylvania residents since Respondent first solicited in the Commonwealth.
 - g. The Bureau's June 15, 2010 letter indicated that failure to respond to the Bureau's letter would result in the issuance of a Cease and Desist Order against Respondent.
 - h. On or about June 21, 2010, the Bureau received a response from Respondent.

i. Respondent's response indicated that Respondent had received contributions from 4,973 Pennsylvania residents since 1994 totaling at least \$2,468,165.23.

AGREED VIOLATIONS

6. Respondent admits and agrees that by engaging in the foregoing activities it repeatedly violated the Act at, 10 P.S. §162.15(a)(1), by and through 10 P.S. §162.5, by soliciting charitable contributions in Pennsylvania without being properly registered.

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 repeatedly violated the Act at 10 P.S. §162.15(a)(1), by and through 10 P.S. §162.5, by soliciting charitable contributions in Pennsylvania without first being registered.

ADMINISTRATIVE FINE

b. An ADMINISTRATIVE FINE of sixteen thousand dollars (\$16,000.00) is levied upon Respondent. Respondent shall tender the full sum of sixteen thousand dollars (\$16,000.00), 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.

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.

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.

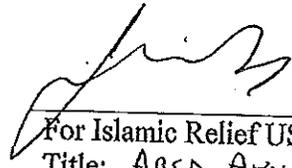
VERIFICATION OF FACTS AND STATEMENTS

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.



Jacquelyn E. Pfursich
Prosecuting Attorney
Department of State



For Islamic Relief USA
Title: ABED AYDUB, CHIEF EXECUTIVE
Respondent OFFICER

DATED:

11/14/11

DATED: NOVEMBER 10, 2011



**IN THE MATTER OF
ISLAMIC RELIEF USA
File No. 11-98-09786**

ORDER

AND NOW, to wit, on this 28th day of November 2011, the terms of paragraph 6 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

A handwritten signature in cursive script, appearing to read "Carol Aichele".

Carol Aichele
Secretary of the Commonwealth