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Department of State

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

Commonwealth of Pennsylvania,  
Bureau of Charitable Organizations

vs.

Sultan Jihad Ahmad Community  
Foundation,  
Respondent

Docket No. 0057 -98-10  
File No. 10-98-05491

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Charitable Organizations ("Bureau") and Sultan Jihad Ahmad Community Foundation, ("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. Respondent initially became registered as a charitable organization in the Commonwealth of Pennsylvania on October 12, 2005 under registration number 25714, but has not been registered with the Bureau since May 11, 2006.
3. At all relevant and material times, Respondent conducted business in Pennsylvania as a charitable organization, as defined by the Act.
4. At all relevant and material times, Respondent did not hold a registration to solicit charitable contributions within the Commonwealth of Pennsylvania.

5. At all relevant and material times, Respondent was not exempt from registration or excluded from the requirements of the Act.

**STIPULATED FACTS**

6. Respondent's last known business address is P.O. Box 38911, Philadelphia, PA 19104.

7. Respondent solicits charitable contributions in Pennsylvania through the Internet, direct mail and by hosting events.

8. Between January 1, 2007 and June 18, 2007, the Bureau sent Respondent seven delinquent registration letters.

9. True and correct copies of the seven delinquent registration letters sent to Respondent by the Bureau are collectively attached as Exhibit A.

10. For the past six years, Respondent has held a golf classic tournament to raise money to build a permanent community center located at 19<sup>th</sup> and Oxford Street in Philadelphia, Pennsylvania.

11. The most recent golf classic tournament was held on May 24, 2010.

12. On May 27, 2010, the Bureau sent via certified mail, an investigative subpoena requesting information regarding the golf classic tournament including but not limited to the total amount of contributions received by Respondent as a result of the golf classic tournament, a complete list of all non-cash contributions received, a list of the golf classic sponsors, and copies of all solicitations for the golf classic tournament.

13. Respondent mailed a response to the Commonwealth's request on June 18, 2010.

14. Respondent's response indicated that Respondent had received contributions totaling at least \$69,200.00 from the golf classic tournament held on May 24, 2010.

**AGREED VIOLATIONS**

15. 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**

16. The parties, intending to be legally bound, agree 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 properly being registered.

**ADMINISTRATIVE FINE**

b. An ADMINISTRATIVE FINE of six thousand dollars (\$6,000.00) is levied upon Respondent. Respondent shall tender the full sum of six thousand dollars (\$6,000.00) with this executed Consent Agreement which shall be paid by certified check, cashier's check, attorney's check, or U.S. Postal money order made payable to the "Commonwealth of Pennsylvania."

**FILING OF REGISTRATION DOCUMENTS**

c. Respondent shall submit to the Bureau all documents required to initially register within fifteen (15) days of the date of the Secretary's Order adopting this Consent Agreement. Respondent is prohibited from providing soliciting contributions in Pennsylvania until such time as the Respondent becomes properly registered with the Bureau.

### ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

17. 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

18. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other governmental or administrative 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

19. 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

20. 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.

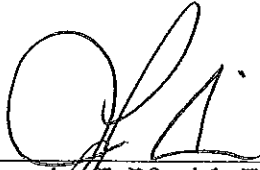
**AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES**

21. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent and its officers, directors, agents, employees or independent contractors. 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 or any officer, director, agent, employee or independent contractor of the Respondent.

**VERIFICATION OF FACTS AND STATEMENTS**

22. 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

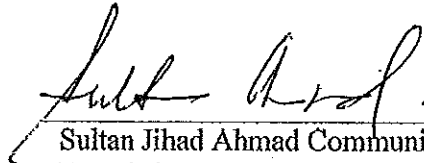
understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



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Jacquelyn E. Pfursich, Esquire  
Prosecuting Attorney  
Department of State

DATED: 8/23/10



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Sultan Jihad Ahmad Community  
Foundation  
Title:  
Respondent

DATED:

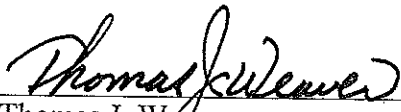


IN THE MATTER OF  
**SULTAN JIHAD AHMAD COMMUNITY FOUNDATION**  
**FILE NO. 10-98-05491**

**ORDER**

AND NOW, this *2<sup>nd</sup>* day of *August* 2010, the terms of Paragraph 16 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

  
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Thomas J. Weaver  
Executive Deputy Secretary of the  
Commonwealth