



The Food Depot Gift Acceptance Policy

Adopted March 21, 2012

Reviewed, Revised and Approved April 21, 2016

Reviewed, Revised and Approved by the Board of Directors on November 15, 2018

The Food Depot solicits and accepts gifts for purposes that will help the organization further and fulfill its mission. The Food Depot urges all prospective donors to seek the assistance of personal, legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences. The following policies and guidelines govern acceptance of gifts made to The Food Depot for the benefit of any of its operations, programs or services.

Use of Legal Counsel – The Food Depot will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

- A. Gifts of securities that are subject to restrictions or buy-sell agreements.
- B. Documents naming The Food Depot as trustee or requiring The Food Depot to act in any fiduciary capacity.
- C. Gifts requiring The Food Depot to assume financial or other obligations.
- D. Transactions with potential conflicts of interest.
- E. Gifts of property which may be subject to environment or other regulatory restrictions.

Restriction on Gifts – The Food Depot will not accept gifts that (a) would result in The Food Depot violating its corporate charter, (b) would result in The Food Depot losing its status as an IRS 501(c)(3) not-for-profit organization, (c) are too difficult or too expensive to administer in relation to their value, (d) would result in any unacceptable consequences for The Food Depot, (e) are for purposes outside The Food Depot's mission, or (f) would alter the strategic priorities of The Food Depot. Decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Executive Committee, in consultation with the Executive Director and the Development Director

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Gifts Generally Accepted Without Review

- *Cash*: Cash gifts are acceptable in any form, including by check, money order, credit card, or on-line. Donors wishing to make a gift by credit card must provide the card type (e.g., Visa, MasterCard, American Express), card number, expiration date, name of the card holder as it appears on the credit card and the billing address. The Executive Director may sign documents to execute acceptance of cash gifts.
- *Marketable Securities*: Marketable securities may be transferred electronically to an account maintained at one or more brokerage firms or delivered physically with the transferor's endorsement or signed stock power (with appropriate Medallion Signatures Guarantees) attached. The Executive Director may authorize all marketable securities to be sold promptly upon receipt unless otherwise directed by The Food Depot's Finance Committee. In some cases marketable securities may be restricted, for example, by applicable securities laws or the terms of the proposed gift; in such instances the decision whether to accept the restricted securities shall be made by the Executive Committee.
- *Bequests and Beneficiary Designations under Revocable Trusts, Commercial Annuities and Retirement Plans*: Donors are encouraged to make bequests to The Food Depot under their wills, and to name The Food Depot as the beneficiary under trusts, life insurance policies, commercial annuities and retirement plans. The Executive Director may sign all documents regarding acceptance of gifts to The Food Depot from wills, trusts, life insurance policies, commercial annuities and retirement plans.
- *Charitable Remainder Trusts*: The Food Depot will accept designation as a remainder beneficiary of charitable remainder trusts. The Executive Director may sign all documents regarding acceptance of gifts to The Food Depot from charitable remainder trusts.
- *Charitable Lead Trusts*. The Food Depot will accept designation as an income beneficiary of charitable lead trusts. The Executive Director may sign all documents regarding acceptance of gifts to The Food Depot from charitable lead trusts.

Gifts Accepted Subject to Prior Review - Certain types of gifts or donated properties must be reviewed prior to acceptance due to the special liabilities they may pose for The Food Depot. Examples of gifts subject to prior review include, but are not limited to:

- *Tangible Personal Property*: The Executive Committee shall review and determine whether to accept any gifts of tangible personal property in light of the following considerations; does the property further the organization's mission? Is the property marketable? Are there any unacceptable restrictions imposed on the property? Are there any carrying costs for the property for which the organization may be responsible? Is the title/provenance of the property clear?
- *Life Insurance*: The Food Depot will accept gifts of life insurance where The Food Depot is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.
- *Real Estate*: All gifts of real estate are subject to review by the Executive Committee. Prior to acceptance of any gift of real estate, The Food Depot may require an initial environmental review by a qualified environmental firm. In the event that the initial review reveals a potential problem, the organization may retain a qualified environmental firm to conduct an environmental audit. Criteria for acceptance of gifts of real estate

include: Is the property useful for the organization's purposes? Is the property readily marketable? Are there covenants, conditions, restrictions reservations, easements, encumbrances or other limitations associated with the property? Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property? Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation? Are the property taxes current and are there any other liens on the property? If so, The Food Depot will deduct these costs when determining the true value or worth of the property.