

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE  
SECURITIES AND CHARITIES DIVISION**

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IN THE MATTER OF:

DOMESTIC VIOLENCE PROJECT, INC.

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File Number C-06-0045

**CONSENT ORDER**

I.

The Securities and Charities Division of the Mississippi Secretary of State's Office ("Division"), having the authority to administer and to provide for the enforcement of all provisions of the Mississippi Charitable Solicitations Act ("Act"), and Respondent do hereby enter into this Consent Order in resolution of the following allegations by the Division of violations of certain provisions of the Act:

1. Domestic Violence Project, Inc. ("Domestic Violence") is a Mississippi non-profit organization whose stated purpose is to "To provide a safe haven for victims experiencing physical, emotional, psychological, economic, and/or sexual abuse within the home environment. The Project shall increase public awareness and sensitivity throughout the service area by way of community education about the dynamics of domestic violence and its effects on families and communities throughout the ten county service areas. The program will provide confidential, accessible, professional services with quality client care to those the Project is empowered to serve. The Project's goal is to develop and maintain an ongoing commitment for the support of the Project while providing advocacy to families who are creating new lifestyles free of violence".
2. Beginning November 2007 through early 2008, the Division performed an examination on Domestic Violence. During that examination and up to the present time, no funds have been found missing from the charity.

3. Domestic Violence was registered with the Division through June 5, 2009, at which time its registration expired because it failed to renew its registration by the renewal date with the State of Mississippi.
4. The Division and Domestic Violence entered into a Consent Agreement in March 2009 in which Domestic Violence agreed to: 1) recover money from two (2) of its employees, 2) provide evidence of a payment plan entered into with the IRS for outstanding payroll taxes, penalty, and interest, 3) provide quarterly reports to the Division for two (2) years, and 4) not to commit any future violations of the Act.
5. Domestic Violence did recover said money from its employees, but despite the terms agreed to in the Consent Agreement, Domestic Violence failed to abide by the Consent Agreement. It failed to enter into a payment plan with the IRS to satisfy outstanding taxes, provide quarterly reports to the Division, and remain dedicated to its commitment not to commit any future violations of the Act. Domestic Violence failed to renew its charitable registration which would have allowed it to legally solicit contributions. Nevertheless, it continued to solicit contributions without being properly registered with the Division.

## II.

Respondent, under the terms of this Consent Order and solely for the purpose of resolving the foregoing allegations, stipulates without a hearing to the matters set forth above in Paragraph I and hereby consents to the issuance of this Consent Order and further consents to and agrees to the undertakings contained herein, with no formal administrative hearing and determination of wrongdoing.

## III.

THEREFORE, in consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree and stipulate as follows:

1. Respondent has cooperated with the Division's investigation in this matter.

2. Respondent stipulates to the jurisdiction of the Division as to all matters contained herein under the authority of the Act and acknowledges that the issuance of this Consent Order is solely for the purpose of resolving the matters contained in this Consent Order.

3. Respondent agrees that it will terminate its charity registration with the Division and file the final report as required by Miss. Code Ann. §79-11-503 within seventy-five (75) days of the date of execution of this Consent Order.

4. Within sixty (60) days of the date of execution of this Consent Order, Respondent agrees that it will dissolve its non-profit corporation with the State of Mississippi and distribute its assets to another charitable organization engaged in activities substantially similar to its own, or to the federal government, or to a state or local government for a public purpose as required by Miss. Code Ann. §79-11-336.

5. Within ninety (90) days of the date of execution of this Consent Order, Respondent agrees that it will send to the Division documentation (including name and address of organization receiving donations and assets) confirming the transaction and distribution (including date).

6. Respondent agrees to suspend all fund-raising activities and will no longer engage in solicitation activities.

7. Respondent agrees that none of its current employees or Directors will be associated with another nonprofit domestic violence organization for five (5) years.

8. This Consent Order is in resolution of the matters contained herein. As a result of this Consent Order, the matters contained herein cannot be used as a basis for action by the Division

except in determining any penalty as may be imposed by the Division for any future violations of the Act committed by the Respondent and as set forth below.

9. Respondent agrees that it will comply with the provisions of the Mississippi Charitable Solicitations Act as currently in effect or as may be subsequently amended until its dissolution and distribution of its assets as recited in paragraph III (4) above.

IV.

In the event Respondent fails or neglects to comply with any of the terms, stipulations or undertakings set forth in this Consent Order, the Division may, without notice to the Respondent, unilaterally rescind this Order and institute any legal or administrative proceedings it deems appropriate including, but not limited to, proceedings to address the matters set forth herein.

DELBERT HOSEMANN  
Secretary of State

By:



TANYA G. WEBBER  
Assistant Secretary of State  
Securities and Charities Division

Date:

7/7/11

The undersigned agent for Domestic Violence acknowledges that he/she has been lawfully vested with the authority to enter into this Consent Order on behalf of the Respondent.

DOMESTIC VIOLENCE PROJECT, INC.

By:   
\_\_\_\_\_  
Sign Name  
Mary E. Milek  
\_\_\_\_\_  
Print Name  
Board Secretary (Acting President)  
\_\_\_\_\_  
Title

Date: 7<sup>th</sup> of July, 2011