

# AUDIT REPORT

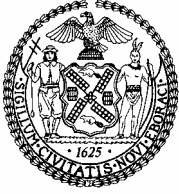


CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
BUREAU OF MANAGEMENT AUDIT  
**WILLIAM C. THOMPSON, JR., COMPTROLLER**

## **Follow-up Audit on the Financial And Operating Practices of the Queens County Public Administrator**

*MD06-057F*

**April 24, 2006**



THE CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
1 CENTRE STREET  
NEW YORK, N.Y. 10007-2341

WILLIAM C. THOMPSON, JR.  
COMPTROLLER

**To the Citizens of the City of New York**

Ladies and Gentlemen:

In accordance with the Comptroller's responsibilities contained in Chapter 5, §93, of the New York City Charter, my office has performed a follow-up audit of a previous audit conducted in 2003 of the financial and operating practices of the Queens County Public Administrator's Office (Queens PA).

The Queens PA administers the estates of those who die in Queens without wills or when there is no appropriate individual to administer the estate. We audit public offices such as this to ensure that they follow applicable laws and guidelines fairly and consistently, in the best interest of those they serve.

The results of our audit, which are presented in this report, have been discussed with Queens PA officials, and their comments have been considered in the preparing report. Their complete written responses are attached to this report.

I trust that this report contains information that is of interest to you. If you have any questions concerning this report, please e-mail my audit bureau at [audit@comptroller.nyc.gov](mailto:audit@comptroller.nyc.gov) or telephone my office at 212-669-3747.

Very truly yours,

A handwritten signature in cursive script that reads "William C. Thompson, Jr.".

William C. Thompson, Jr.

WCT/EC

**Report:** MD06-057F  
**Filed:** April 24, 2006

*The City of New York  
Office of the Comptroller  
Bureau of Management Audit*

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Financial and Operating Practices of the  
Queens County Public Administrator**

**MD06-057F**

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**AUDIT REPORT IN BRIEF**

This audit determined whether the Office of the Queens County Public Administrator (PA) implemented the seven recommendations made in a previous audit of its financial and operating practices that was issued on May 9, 2003. The audit also determined whether the PA has complied with certain reporting and auditing requirements. In this report, we discuss the seven recommendations of the prior audit as well as their current implementation status, and make recommendations based on our current findings.

In Fiscal Year 2003, our office conducted an audit to determine whether the PA complied with Article 11 of the New York State (State) Surrogate's Court Procedure Act (SCPA), the *Report and Guidelines of the Administrative Board for the Offices of the Public Administrators* (Administrative Board Guidelines), and other applicable City and State laws and regulations. That audit found that the PA:

- Underreported \$31,547 in miscellaneous income to the Internal Revenue Service (IRS) and did not include all required information on the 1099-MISC forms.
- Underestimated by \$7.5 million the values of the estates reported to the Surrogate's Court.
- Did not document in the computerized inventory all of the items brought from the decedents' residences. The items not recorded had appraised values totaling \$1,638.
- Did not comply with Administrative Board Guidelines during some residence searches.

## **Audit Findings and Conclusions**

Of the seven recommendations made in the previous audit, the PA implemented four and partially implemented three.

In this follow-up audit, we found that the PA has modified its procedures for identifying, tracking, and reporting 1099-reportable payments; reports the correct estate values to the Surrogate's Court; documents in its computerized inventory all of the items brought back from decedents' residences; and modified the Residence Investigation Report form to help document its efforts in complying with the Administrative Board Guidelines. However, the PA still failed to issue a 1099-MISC form to one individual in the amount of \$1,400 (for calendar year 2004); was unable to issue 1099-MISC forms for some of the individuals cited in the prior report as not receiving them; and is still not always in compliance with the Administrative Board Guidelines procedures for searches of decedents' residences.

Regarding reporting and auditing requirements, we found that the PA is submitting to the Office of the Comptroller the monthly account information on estates that have been closed or finally settled, in accordance with Comptroller's Directive #28. The PA also had an independent CPA conduct an annual audit, in accordance with the SCPA. However, the audit was not conducted in accordance with generally accepted government auditing standards, as required by the SCPA.

## **Audit Recommendations**

To address the issues that still exist, the PA should implement the recommendations of the previous audit that were not addressed. The recommendations in this report are somewhat revised in accordance with the findings of this audit. The recommendations are that the PA should:

- Maintain a separate listing of 1099-reportable payments and ensure that all 1099-MISC forms are issued.
- Issue the 1099-MISC form cited in the report.
- Ensure that it complies with the Administrative Board Guidelines for searching decedents' residences and documents its efforts by completing all applicable sections of the Residence Investigation Report.
- Modify the Residence Investigation Report to specifically request the witness's name and signature.
- Ensure that a signed receipt is obtained from the landlord or landlord's agent upon the release of the decedent's premises.
- Have an independent CPA conduct annual audits that comply with SCPA requirements.
- Obtain a budgeting decision from the City as to whether it will fund the audit pursuant to SCPA, Article 11 §1109.

## **INTRODUCTION**

### **Background**

The Offices of the Public Administrator for the five counties within New York City are governed by Article 11 of the SCPA, under which the head of each office—the Public Administrator—“is appointed by and may be removed by the judge or judges of the court . . . and shall continue in office until removed.” Each Public Administrator is responsible for administering the estates of individuals in its respective county who die intestate or when no other appropriate individual is willing or qualified to administer the estate.

The Queens PA handles the estates of such decedents in Queens County. As an estate’s administrator, the PA makes funeral arrangements, collects debts, pays creditors, manages the decedents’ assets, and searches for possible heirs. It is also responsible for filing tax returns on behalf of the decedents.

In September 1993, following a 1991 joint follow-up review by the State Comptroller and the State Attorney General, an Administrative Board for the Offices of the Public Administrators of the State of New York was created to oversee the PA offices. The board enacted the Administrative Board Guidelines, which include rules for record-keeping; managing cash, property, and other assets; maintenance of “suspense” (imprest) accounts; payment of fees; and the initial inspection of a decedent’s premises.

The City provides some funds for the operation of the Public Administrator’s office. To fund expenses that are not covered by the City’s budget appropriations, the Administrative Board Guidelines authorize the Public Administrator to charge each estate an administrative fee of up to 1.25 percent of the gross value of each estate and to maintain a suspense account. These fees are deposited in a separate bank account and are used to supplement the Public Administrator’s budget. The Administrative Board Guidelines stipulate that suspense-account funds be used to pay expenses “necessary for the proper functioning of the office’s operations and for the administration of estates.” The funds can also be used as a loan to estates to pay expenses prior to the conversion of estate assets to cash.

As of July 2004, the PA was administering 1,448 estates valued at more than \$82 million. According to the City’s Fiscal Year 2005 annual financial report, PA expenditures for Fiscal Year 2005 were \$349,711, all Personal Service. During Fiscal Year 2005, the PA employed eight City employees, including the Public Administrator and Deputy Public Administrator. The PA also employed eight non-City employees, one part-time employee, and two summer interns who were paid from its suspense account.

## **Objective**

This audit was conducted to determine:

- whether the PA implemented the seven recommendations made in an earlier audit, *Audit Report on the Financial and Operating Practices of the Queens County Public Administrator's Office* (Audit No. MD03-094A), issued May 9, 2003, and
- whether the PA complied with Comptroller's Directive #28, "Reporting Requirements for Public Administrators," issued December 30, 2003.

## **Scope and Methodology**

The scope period of this audit was Fiscal Year 2005. We reviewed the PA Fiscal Year 2005 documentation to assess whether it had implemented the previous recommendations and complied with Comptroller's Directive #28.

To gain an understanding of the policies, procedures, and regulations governing the PA, we reviewed Article 11 of the SCPA, the Administrative Board Guidelines, and other applicable City and State regulations. In addition, we interviewed the PA staff to gain an understanding of the office's practices related to the handling of estate and suspense-account funds. We also met with the Public Administrator and Deputy Public Administrator to discuss the implementation status of each of the prior audit's recommendations.

We determined whether the PA issued 1099-MISC forms<sup>1</sup> to those individuals who were cited in the prior report as not receiving them and whether the PA correctly reported all Calendar Year 2004 1099-payments to the Internal Revenue Service (IRS). We also determined whether the PA implemented procedures to identify and track reportable 1099 payments, as recommended in the prior report.

To ensure that estates with a Letter of Administration that were open for more than two years and not fully distributed were correctly reported to the Surrogate's Court, as required by the SCPA, we requested a copy of the PA's semi-annual report to the Surrogate's Court for January 2005.<sup>2</sup> To ensure that the estate values were accurately reported, we randomly selected a sample of 20 estates totaling \$7.2 million from the 168 estates totaling \$19.4 million listed on the report. We recalculated the gross estate values stated in the report and traced them to documentation in the PA's records.

To assess the PA's control over decedents' properties, we reviewed the system for collecting, recording, and securing properties removed from decedents' residences. We determined whether decedents' properties were correctly recorded in the PA computerized inventory system and were securely stored. We ensured that all the estates having items stored

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<sup>1</sup> An IRS 1099-MISC form is used to report payments to non-employees for professional services totaling \$600 or more during a calendar year.

<sup>2</sup> A Letter of Administration gives the PA fiduciary powers over decedents' estates worth more than \$20,000.

in the PA safe were included in the computerized inventory listing (as of December 29, 2005). We also conducted an inventory count to determine whether all the items listed for a randomly selected sample of 20 of the 66 estates on the Open Jewelry List were included in the safe.

To determine whether the investigators followed the Administrative Board Guidelines when conducting investigations of decedents' residences, we reviewed the Residence Investigation Reports for a random selected sample of 15 closed estates with residences that were required to be searched by the PA.<sup>3</sup> We determined whether two PA investigators searched the decedents' residences, whether an independent witness was present at the time of the search, and whether the investigators sealed all entrances after their search.

The results of the above tests, while not projectable for the entire population of estates and properties, provided us a reasonable basis to determine whether the PA had implemented the recommendations made in the previous audit.

We also tested PA compliance with Comptroller's Directive #28 and the SCPA regarding:

- filing with the Office of the Comptroller monthly account information on estates that have been closed or finally settled, and
- having an independent CPA conduct an audit, in accordance with the SCPA, and submitting a copy to the Office of the Comptroller.

Our audit was conducted in accordance with generally accepted government auditing standards (GAGAS) and included tests of the records and other procedures considered necessary. This audit was performed in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

### **Discussion of Audit Results**

The matters covered in this report were discussed with PA officials during and at the conclusion of this audit. A preliminary draft report was sent to PA officials and discussed at an exit conference held on February 15, 2006. On March 17, 2006, we submitted a draft report to PA officials with a request for comments. We received a written response from PA officials on April 3, 2006. In their response, PA officials generally agreed with the audit's findings and recommendations, stating:

“We thank the auditors for pointing out areas that may need improvement. All of the recommendations made to the Queens Public Administrator have been considered and implemented where possible.”

The full text of the PA officials' response is included as an addendum to this report.

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<sup>3</sup> Residence investigations are not required for nursing home, guardianship, wrongful death, and police property estates.

## RESULTS OF FOLLOW-UP AUDIT

**Previous Finding:** “1099-MISC payments were not correctly identified or reported to the IRS.”

The PA did not issue 1099-MISC forms for 13 individuals for a total of \$28,897 and underreported payments on the 1099-MISC forms for two individuals for a total of \$2,650. In addition, the Tax Identification Numbers (TINs) were not included on the 1099-MISC for eight individuals. The errors could enable those individuals (i.e., consultants, attorneys, and vendors), to underreport their income to the government and avoid paying taxes on the excluded amounts. The errors could also subject the PA to financial penalties by the IRS.

The PA did not maintain a list of vendors that should receive 1099-MISC forms. At the end of the year, the accounts payable clerk attempts to determine which individuals should receive a 1099-MISC form based on data maintained in the PA computer system (CompuTrust) using various transaction codes. Since an ongoing list of vendors that should receive 1099-reportable payments is not maintained, the information given to the accountant who prepares the forms is not complete.

***Previous Recommendation #1:*** “Develop procedures for identifying, tracking, and reporting 1099-reportable payments.”

***Previous Recommendation #2:*** “Ensure that 1099-MISC forms contain correct payment amounts.”

***Previous Recommendation #3:*** “Ensure that all required information, including the TIN, is reported for each 1099-MISC issued.”

***Previous Recommendation #4:*** “Review the 1099-reportable payments cited in this report and issue 1099-MISC forms for the 13 individuals who did not receive them.”

***Previous PA Response:*** “New procedures have already been instituted to ensure that all 1099 reportable payments are tracked, and that all 1099-MISC forms issued by this office contain the required information and correct payment amounts.”

### **Current Status of Recommendation #1:** PARTIALLY IMPLEMENTED

The PA has modified its procedures for identifying, tracking, and reporting 1099-reportable payments. However, the PA still failed to issue a 1099-MISC form to one individual in the amount of \$1,400 (for calendar year 2004).

At the end of each year, the PA accountant now prepares two types of payment reports—one from CompuTrust based upon the appropriate transaction codes and one from the Imprest Account listing all vendors that received payments during the year. Using these two payment reports, the accountant manually prepares a listing of the total payments made to vendors during the year. From this list, he prepares 1099-MISC forms for vendors that require one. Not



maintaining a separate listing of 1099-reportable payments hindered the accountant's ability to verify that all 1099-MISC forms were issued. As stated above, a 1099-MISC form to one individual in the amount of \$1,400 was not issued.

At the exit conference, PA officials informed us that their office will no longer pay a vendor without issuing a 1099-MISC form and will return any invoice that is submitted to them without a Tax Identification Number. This procedure will ensure that all required 1099-MISC forms are being issued.

**Current Status of Recommendation #2:** IMPLEMENTED

The PA included the correct payment amounts for each 1099-MISC form that was issued, with the exception of a \$30 discrepancy on one 1099-MISC form that was due to a calculation error.

**Current Status of Recommendation #3:** IMPLEMENTED

The PA included all of the required information, including the TIN, for each 1099-MISC form that was issued.

**Current Status of Recommendation #4:** PARTIALLY IMPLEMENTED

The PA supplied us with the 1099-MISC forms for nine of the 13 individuals cited in the previous report. According to the accountant, the remaining four individuals could not be located, and 1099-MISC forms could not be issued to them. The PA's office did not have contact information for these vendors, as they were not routinely used by the office.

**Previous Finding:** "Incorrect estate values were reported to the Surrogate's Court."

The PA did not report to the Surrogate's Court the correct estate values in its January 2003 semi-annual report of estates that were open for more than two years and had not been fully distributed. The PA undervalued 22 (21%) of its 107 reported estates by \$7.5 million. The reported balances for these estates did not include the value of the estates' T-bills and CDs.

***Previous Recommendation #5:*** "The PA should ensure that it includes the correct values of all estates' properties in its semi-annual reports to the Surrogate's Court."

***Previous PA Response:*** "The semi-annual report discussed in the Audit did not include . . . higher yielding accounts due to computer programming error. The report has been corrected. An amendment of the report for the period ending December 31, 2002, has been forwarded to the required parties."

**Current Status:** IMPLEMENTED

The correct estate values were reported on the PA's January 2005 semi-annual report to the Surrogate's Court. The gross estate balances for our sampled estates (totaling \$7.2 million) included the estate's fiduciary funds, and the values of the estate's saving accounts, CDs, and unsold inventory were listed.

**Previous Finding:** "Inadequate documentation of inventory."

The PA did not document in its computerized inventory system all items brought by investigators for safekeeping by the PA after a decedent's residence was searched. Of the 208 estates with items stored in the PA safe, 16 estates had jewelry with a total appraised value of \$1,638 that were not listed on the PA computerized Open Jewelry List.

***Previous Recommendation #6:*** "The PA should ensure that all decedents' assets are recorded in its computerized inventory system."

***Previous PA Response:*** "New Procedures have been implemented to assure that all of the decedent's jewelry are recorded in our computerized inventory system."

**Current Status:** IMPLEMENTED

The PA currently documents in its computerized inventory system all items brought by the investigators for safekeeping by the PA after a decedent's residence is searched. All 66 estates with items stored in the PA safe were listed on the PA computerized Open Jewelry List. In addition, our inventory count for a sample of 20 estates verified that all the items listed for these estates were found in the PA safe.

**Previous Finding:** "Noncompliance with guidelines during some residence searches."

The PA did not always comply with the Administrative Board Guidelines procedures for searches of decedents' residences. Of the 21 estates' residences in our sample that needed to be searched by the PA, we found that:

- In eight instances, witnesses were not present during the investigation. In another two instances, although there were notations in the Residence Investigation Report that witnesses were present, they did not sign the report, as required.
- In eight instances, there was no indication on the Residence Investigation Report that the investigators sealed the entrance to the premises after the search was completed.

***Previous Recommendation #7:*** “The PA should ensure that it complies with the Administrative Board Guidelines for searching decedents’ residences.”

***Previous PA Response:*** “With regard to residence investigations, we have designed a new Residence Investigation form to specifically state whether or not a witness was available, and if available whether the witness refused to sign the form.

“With regard to the last issue of certain instances where there was no notation on the report that entrances have been sealed after search has been completed, the investigators were reminded of the proper procedures and steps have been implemented to verify that the procedures are followed.”

**Current Status:** PARTIALLY IMPLEMENTED

The PA has modified the Residence Investigation Report to help ensure compliance with the Administrative Board Guideline’s procedures for searches of decedents’ residences.<sup>4</sup> However, the revised form is not being fully completed by the PA investigators. In addition, the Residence Investigation Report does not include a space for the witness’s signature ensuring their presence during the investigation. Therefore, compliance with the Administrative Board Guidelines can not always be verified.

For our 15 sampled estates, we found the following areas of possible noncompliance with the Administrative Board Guideline procedures for searches of decedents’ residences searches:

- In two instances, we found no evidence that a minimum of two investigators were present during the investigation, as required. (For one of these instances, we could not determine the number of investigators present during the investigation because the investigators failed to sign the Residence Investigation Report.)

At the exit conference, PA officials stated that at least two investigators were present during these and all residence searches. In the two instances cited, two investigators were present, but failed to sign the Residence Investigation Report.

- In three instances, we could not determine whether a witness was unavailable during the residence investigations or simply refused to sign the Residence Investigation Report. (The investigators failed to record this information on Residence Investigation Reports.)
- In four instances, although a witness was present during the investigation, the signature of the witness was not obtained; only their printed names are shown on the

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<sup>4</sup> The Residence Investigation Report was modified to include the name of the agents (investigators) involved in the residence search and to indicate whether a witness was available, whether the witness refused to sign the Residence Investigation Report, and whether the premises were sealed, and if not, the reason for it not being sealed.

report. (The Residence Investigation Report does not include a space for the witness's signature ensuring their presence.)

At the exit conference, PA officials stated that the witnesses printed their own names and addresses on the Residence Investigation Reports, which sufficed as representations of their signatures. Nonetheless, they further informed us that they have modified the Residence Investigation Report to include a separate space for the witness's name and signature and provided us a copy of the modified form.

- In two instances, there was no indication on the Residence Investigation Report that the investigators sealed the entrance to the premises after the search was completed.
- In one instance, a Release Form was not found in the decedent's file releasing the premises to the landlord.

To ensure full compliance with the Administrative Board Guidelines procedures regarding searching decedents' residences and thereby ensuring decedents' properties are accounted for and secured, the PA should require the investigators to fully document their efforts and complete all applicable sections of the Residence Investigation Reports.

At the exit conference, PA officials stated that they have reminded the investigators to document their efforts and complete all applicable sections of the Residence Investigation Report.

## FINDING

### Noncompliance with Aspects of Comptroller's Directive #28 And with SCPA Audit Requirements

The PA is submitting to the Office of the Comptroller the monthly account information on estates that have been closed or finally settled, in accordance with the Comptroller's Directive #28 reporting requirements. The PA also had an independent CPA conduct an audit, as required by the SCPA, which was made available to the Comptroller's Office. However, the audit report dated September 1, 2005, which covered the statement of cash administered by the PA as of June 30, 2005, was not conducted in accordance with generally accepted government audit standards as required by the SCPA, Article 11, §1109, which states:

“Each public administrator shall conduct annually an audit of his office by an independent certified accountant. . . . The audit shall be conducted in compliance with generally accepted government audit standards, and shall include a review of the performance of the office with respect to guidelines and uniform fee schedules established by the administrative board. The cost of such audit and report shall be included annually in the budget of the city of New York.”

At the exit conference, PA officials stated that although the City is required by the SCPA to pay for an annual audit, it does not do so. PA officials further stated that the audit performed was paid for by using the PA's own funds and that it does not have enough funds to pay for an audit conducted in compliance with generally accepted government audit standards.

## RECOMMENDATIONS

To address the issues that still exist, we recommend that the PA should:

1. Maintain a separate listing of 1099-reportable payments and ensure that all 1099-MISC forms are issued.
2. Issue the 1099-MISC form cited in the report.

**PA Response:** PA officials agreed with recommendations #1 and #2. They stated:

“New procedures had been instituted to ensure that all 1099 reportable payments are tracked, and that all 1099-MISC forms issued by this office contain the required information and correct payment amounts.”

3. Ensure that it complies with the Administrative Board Guidelines for searching decedents' residences and documents its efforts by completing all applicable sections of the Residence Investigation Report.

**PA Response:** “With regard to certain instances where there was no notation on the report that entrances have been sealed after search has been completed, or that a signed receipt was not filed, the investigators have been reminded of proper procedures and steps have been implemented to verify that the procedures are followed.”

4. Modify the Residence Investigation Report to specifically request the witness’s name and signature.

**PA Response:** “With regard to residence searches, we designed a new Residence Investigations Form to specifically state whether or not a witness was available, and if available whether the witness refused to sign the form. We have further amended the form to add a line for the witness to sign the form.

5. Ensure that a signed receipt is obtained from the landlord or landlord’s agent upon the release of the decedent’s premises.

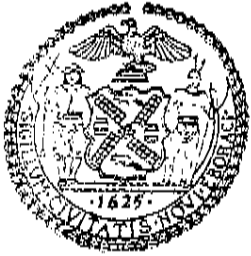
**PA Response:** “With regard to certain instances where there was no notation on the report that entrances have been sealed after search has been completed, or that a signed receipt was not filed, the investigators have been reminded of proper procedures and steps have been implemented to verify that the procedures are followed.”

6. Have an independent CPA conduct annual audits that comply with SCPA requirements.

**PA Response:** “For as long as the statute has required, the Office of the Public Administrator of Queens County has had an independent CPA conduct an audit . . . This office will now have its audit conducted with Generally Accepted Government Audit Standards.”

7. Obtain a budgeting decision from the City as to whether it will fund the audit pursuant to SCPA, Article 11 §1109.

**PA Response:** “Once we are aware of the cost, we will request a budget modification to request that said sum be included in our budget pursuant to the Audit of the Comptroller of the City of New York, and the Surrogate’s Court Procedure Act.”



# Queens County Office of the Public Administrator

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**Lois M. Rosenblatt, Esq.**  
Public Administrator

**Susan B. Brown**  
Deputy Public Administrator

**Gerard J. Sweeney**  
Counsel

March 30, 2006

The City of New York  
Office of the Comptroller  
Executive Offices  
1 Centre Street  
New York, New York 10007-2341  
Attention: John Graham  
Deputy Comptroller

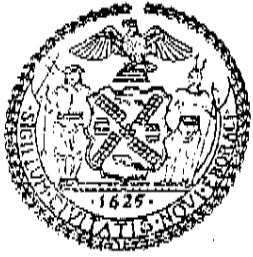
Re: Audit Number MD06-057F

Dear Mr. Graham:

I have read the Draft Report of the Follow-up Audit Report on the Financial and Operating Practices of the Queens County Public Administrator's Office conducted by the Office of the Comptroller of the City of New York.

This office strives for 100% compliance with all the statutes, rules and regulations which govern the Public Administrator's Office. We thank the auditors for pointing out areas that may need improvement. All of the recommendations made to the Queens County Public Administrator have already been considered and implemented where possible.

1. New procedures had been instituted to ensure that all 1099 reportable payments are tracked, and that all 1099-MISC forms issued by this office contain the required information and correct payment amounts. In spite of the fact that we issue well in excess of 100 1099's each year, one vendor was missed as reported in the audit. This office now requires the W-9 to be signed in advance of any payment being issued to a vendor for whom a 1099 is required.
2. With regard to residence investigations, we designed a new Residence Investigations Form to specifically state whether or not a witness was available, and if available whether the witness refused to sign the form. We have further amended that form to add a line for the witness to sign. With regard to certain instances where there was no notation on the report that entrances have been sealed after search has been completed, or that a signed receipt was not filed,



# Queens County Office of the Public Administrator

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**Lois M. Rosenblatt, Esq.**  
Public Administrator

**Susan B. Brown**  
Deputy Public Administrator

**Gerard J. Sweeney**  
Counsel

the investigators have been reminded of the proper procedures and steps have been implemented to verify that the procedures are followed.

3. For as long as the statute has required, the Office of the Public Administrator of Queens County has had an independent CPA conduct an audit. The Audit for the period ending June 30, 2005 contained the following statement:

*Each estate administered by the Public Administrator's office is subject to fees based on the value of each estate. A fee is assessed by the Finance Administrator of New York City, the Public Administrator's office and the attorney for the Public Administrator's office. During the course of our review, we found in each estate a detailed calculation of each fee which complied with the outlined fees allowed. We tested the calculations and matched up the payment to the estate trial balance detail report, which shows every disbursement made from the estate.*

This draft audit states that the audit conducted by the Public administrator was not conducted with generally accepted government audit standards.

This office will now have its audit conducted with Generally Accepted Government Audit Standards. Based upon the Comptroller's audit, we will retain, regardless of the increased cost, an independent CPA to conduct the audit. Once we are aware of the cost, we will request a budget modification to request that said sum be included in our budget pursuant to the Audit of the Comptroller of the City of New York, and the Surrogate's Court Procedure Act.





# Queens County Office of the Public Administrator

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**Lois M. Rosenblatt, Esq.**  
Public Administrator

**Susan B. Brown**  
Deputy Public Administrator

**Gerard J. Sweeney**  
Counsel

Based on the foregoing, I believe that the Public Administrator's Office is in full compliance with Article 11 of the New York State Surrogate's Court Procedure Act, the Report and Guidelines of the Administrative Board for the Offices of the Public Administrators, and any other applicable City and State Laws and Regulations.

Very truly yours,

LOIS M. ROSENBLATT  
Public Administrator