# TOWN OF UNIVERSITY PARK ETHICS COMMISSION
# FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

**A MESSAGE TO THOSE WHO ARE REQUIRED TO FILE DISCLOSURE STATEMENTS**

Please read the instructions carefully and be sure to provide all information requested for each interest you disclose on your statement. If you have any questions about the application of the Law, you may contact the Town Ethics Commission. Some schedules on the statement may require knowledge regarding whether an entity does business with the Town. You may access that information by contacting Town Hall. If you have a question about a particular entity or need other assistance in completing the form, do not hesitate to contact the Town Ethics Commission through the Town Clerk's Office.

Financial disclosure statements are public records that may be examined or copied by the public. At the top of the form we have provided a place for you to check if you want the Commission to notify you of the names and addresses of any persons who have examined or copied your statement.

Thank you for your cooperation.

## GENERAL INSTRUCTIONS

### A. Persons Required to File Financial Disclosure Statements

Town Elected officials or candidates for office as Town elected officials are required to file this financial disclosure statement.

### B. When to File.

1. A person holding an office for which a financial disclosure statement is required, must file **on or before April 30th each year during that person's term in office for the immediately preceding calendar year**. The statement due April 30 shall be for the period commencing January 1 and ending December 31 in the previous year.

2. A person who does not have a current financial disclosure statement on file and who is appointed to fill a vacancy in a position or office for which a statement must be filed, shall file a statement **within 30 days** after appointment **for the previous calendar year**.

3. If a person in a position requiring disclosure **leaves the position** after January 1 but prior to filing the regular annual statement due April 30th, he or she must file the **annual statement** (covering the preceding calendar year), plus an **additional termination statement covering the part of the current year served**. You must file your termination statement **within 60 days of leaving your position**.

4. **This paragraph applies only to candidates for office as a Town official.** A candidate for nomination or election to Town office must file the statement with the Board of Elections Supervisors and the Ethics Commission **for the calendar year immediately preceding the year in which the of Petition of Candidacy is filed, and for the current calendar year in which the Petition of Candidacy is filed (i.e. January 1 through date of filing) together with that person's Petition of**

**Candidacy**. In each calendar year subsequent to the year in which the Candidacy Petition is filed, except in the year of the election, a statement covering the preceding calendar year shall be filed with the Ethics Commission on or before April 30th. In the year of the election, a statement covering the preceding calendar year shall be filed on or before April 30th or the last day for the withdrawal of candidacy, whichever is earlier. A candidate who fails to file a required statement and is provided written notice from the election board of the default shall be deemed to have withdrawn the candidacy if the statement is not filled within 20 days of receipt of the notice.

## C. Where to File and Where to Get Forms.

1. The forms are available at the Town Clerk's Office. **You should return the completed forms to the Town Clerk,** who will then return all of the forms to the Town's Ethics Commission.
2. **This paragraph applies only in an election year.** A person filing this statement as a candidate for nomination or election to office must file the form with the Town's Board of Election Supervisors and with the Ethics Commission.

## D. Glossary of Terms

### 1. Attributable Interest.

The law provides that certain property and business interests not directly held by a person may be attributed to him or her and must be reported on the financial disclosure statement. The circumstances under which attribution occurs are as follows:

a. If you owned greater than a 3% equity interest in any business entity during the reporting period and that business entity holds a property or business interest which, if you owned directly, you would be required to report on Schedule A, B, or C, the interest is attributable to you and you must report it on the appropriate Schedule. This limited attribution does not reduce or affect in any way the requirement for disclosure on Schedule A of real property held by a partnership even if the filer holds less than a 3% interest in the partnership.

b. If your spouse or child holds a property or business interest which you would have to report on Schedule A, B, or C, if you owned it directly, and if you exercised direct or indirect control over that interest at any time during the reporting period, the interest is attributable to you and must be reported on the appropriate Schedule.

c. If at any time during the reporting period you (a) held a reversionary interest in a trust or estate or (b) were the beneficiary of a trust or estate or (c) were the settler of a revocable trust, then any interest held by the trust or estate which you would have to report on Schedule A, B, or C, if you owned it directly, it is attributable to you and must be reported on the appropriate Schedule. For purposes of this attribution provision, you are a beneficiary of a trust if you are a current income beneficiary, either receiving income or currently entitled to receive income, or if you have a current ownership or other interest in the corpus of the trust. Beneficiaries of an estate include immediate beneficiaries of an estate even if it is not settled. A trust, within the meaning of this section, does not include a common trust fund or a trust which forms part of a pension or profit-sharing plan that has more than 25 participants.

### 2. Unknown Information.

The law requires you to disclose interests and information "if known" for the calendar year for which the required statement is to be filed. If you claim not to know information requested on the form, state "unknown" in response to that question on the statement. Information in the public records or otherwise obtainable is not "unknown," and must be reported.

### 3. Blind Trust

A filer having an interest relating to a blind trust should contact the Commission about the filing requirements.

## FORM INSTRUCTIONS

### Identifying Information

If you wish to be notified if anyone requests to see your financial disclosure statement, check the appropriate box at the top of the page. Print or type your **complete name** and **address** where you can be sent correspondence. Also **fill in the year of the reporting period**. Regular annual reports or reports by new officials will cover from January 1 through the last day of the **preceding calendar year**. Termination reports will cover from the first day of the current calendar year until your last day in your position. The last line of the general information block ("Office for which Authorization of Candidacy...") needs to be completed only during an election year and then only by individuals who are running for a Town elective office. Please include your Town e-mail address, if you have one.

### Signature and Affirmation

You **must file the financial disclosure statement under oath or affirmation**, and willful and false filing is **subject to the penalties of perjury** as provided in § 9-101, Criminal Law Article, Annotated Code of Maryland. All forms filed **must therefore be signed and dated under oath or affirmation**. The Commission will not consider your financial disclosure statement to be filed until it is so signed and dated.

### Checklist.

Complete by checking the "yes" or "no" box as to each statement. **Do not leave any statement unanswered**. Note that each statement corresponds to a Schedule. If you have questions as to the meaning of a statement, review the corresponding Schedule and instructions for a more detailed description of the interests involved.

### SCHEDULE A. Real Property

Real property held by the filer or by a partnership, limited liability partnership, or limited liability company **in which the filer has an interest** must be disclosed, if it is held at any time during the reporting period. You must report real property whether it is located **in or outside of Maryland**. Partnership property must be disclosed, without regard to the extent of the filer's interest in the partnership. **You must also report any interest you have in leasehold property, for example, property in which you are tenant, including business offices and personal residences. You must report your personal residence if it is owned directly by you, attributable to you or rented by you.** Note also that all appropriate information (e.g., date, seller, etc.) must be reported for land you own whether or not you have constructed improvements on it.

Schedule A deals with real property interests only; do not report here your interests in business entities. If real property held by an entity is attributable to you, or is a partnership, limited liability partnership, or limited liability company property, list the real property on this Schedule. Report your interest in the entity on Schedule B, C, or H (whichever is appropriate) if it falls within the reporting requirements of those Schedules.

Please answer the Questions 1 through 11c as appropriate. The Ethics Law requires for each property to be disclosed that you give the location, the type of property, the nature and extent of your interest, the identity of other persons holding an interest in the property, encumbrances, date and manner of acquisition, the identity of the person from whom you acquired the property, and the nature and amount of consideration. Additionally if you transferred the property during the calendar year, the name of the person to whom you transferred the property, the portion of interest transferred and the amount of consideration received is required to be disclosed.

### SCHEDULE B. Interests in Corporations/Partnerships

Report **all interests in any corporation, partnership, limited liability partnership or limited liability company** held by you during the reporting period, **whether or not the entity does business with the City**. Examples of frequently disclosed items on this schedule are corporate stocks, corporate bonds, partnerships, and interests in mutual funds (**not** the individual holdings of the mutual funds). Filers are not required to disclose holdings in an Internal Revenue Service qualified trust or college savings plan. This would include the State of Maryland § 401(a), § 401(k) and § 457 (deferred compensation) plans. This would also include Maryland College Savings Plans, such as 529 investment accounts. Other possible qualified retirement accounts include 403(b) plans. The filer must determine whether the plan in which they participate meets the

requirements for exemption from disclosure. (See definition of "interest" in glossary of terms.)

Please answer the Questions 1 through 8C as appropriate. The Ethics Law requires for each interest to be disclosed that you give the name and address of the entity, the nature and extent of your interest, the amount of the interest, other interests held in the entity, and any encumbrances or conditions. Additionally, if the interest was acquired during the calendar year, the date and manner of acquisition, the identity of the person from whom you acquired the interest, and the nature and amount of consideration will need to be disclosed. **If the acquisition solely consists of an addition to an existing, publicly traded corporate interest acquired by dividend or dividend reinvestment is less than $500, you need not provide any additional information.**

Finally, if you transferred the interest during the calendar year, the name of the person to whom you transferred the interest (if known), the portion of interest transferred and the amount of consideration received.

**SCHEDULE C. Interests in Non-Corporate Business Entities**
Report all interests in any **non-corporate business entity** not disclosed on Schedule B **that does business with the City**. A sole proprietorship is the type of entity that is included on this Schedule.

Please answer the Questions 1 through 6C as appropriate. The Ethics Code requires for each interest in any non-corporate business entity doing business with the Town that you give the name and address of the entity, the nature and extent of your interest, the amount of the interest, other interests held in the entity, and any encumbrances or conditions. Additionally, if the interest was acquired during the calendar year, the date and manner of acquisition, the identity of the person from whom you acquired the interest, and the nature and amount of consideration will need to be disclosed.

Finally, if you transferred the interest during the calendar year, the name of the person to whom you transferred the interest (if known), the portion of interest transferred and the amount of consideration received.

**SCHEDULE D. Gifts** You must report **each gift in excess of $20 in value**, or **a series of gifts from any one person totaling $100 or more**, received by you at any time during this reporting period or by any other person at your direction, **from or on behalf of,** directly or indirectly, any **person who does business with the Town or is regulated by the City, or is registered or required to register as a lobbyist by the Ethics Code** for each gift, answer Questions 1 through 4. Generally, gifts received by members of your immediate family will be considered as gifts received by you for reporting purposes. You should note if the gift was received by a spouse or dependent child.

The **following gifts need not be reported**:

1. Gifts received from your spouse, domestic partner, children and parents.

2. Political campaign contributions regulated in accordance with the provisions of the Elections Law or any other provision of Town law regulating the conduct of elections or the receipt of political campaign contributions. Contributions to legal defense funds are generally considered to be gifts under the Ethics Law.

**SCHEDULE E. Offices, Directorships, Salaried Employment, and Similar Interests**
List on this schedule the name and address of the principal office of each business entity doing business with the Town in which, at any time during the reporting period, you or a member of your immediate family (spouse, domestic partner and dependent children) held an office, directorship, salaried employment, or similar interest. Also list any other similar interests (such as being a partner) held by you or a member of your immediate family during the reporting period, and not otherwise disclosed on this Schedule, in any business entity doing business with the City. For example, the presidency of a corporation or a partnership in a law firm should be reported, as should employment as an engineer in a consulting firm that is a partnership. For each office, directorship, and employment to be disclosed, answer Questions 1 through 6.

**SCHEDULE F. Debts**
Report all **debts you owed** during the reporting period **to any entity doing business with the City**. The

Town Clerk maintains a list of entities doing business with the City. **Exclude retail credit accounts** (which includes store and bank charge accounts). You must, however, include installment loans, mortgages, car loans, or other time-fixed **liabilities owed to an entity doing business with the City.**

Please answer Questions 1 through 7 for each debt to be disclosed. The Ethics Law requires that you identify the person or entity to whom the debt is owed, the date the debt was incurred, the terms of payment of the debt, the amount of the debt owed as of the last day of the calendar year, the extent to which the principal amount of the debt increased or decreased during the calendar year, and a description of any security given for the debt. Additionally, if this transaction resulted in a debt being owed by your spouse or dependent child, you need to identify your spouse and/or child and describe the transaction.

**SCHEDULE G. Family Members Employed by the Town**

Please answer Questions 1 through 3 as appropriate listing all members of your **immediate family (spouse, domestic partner and dependent children)** who were **employed by the Town in any capacity at any time during the reporting period**. Include the name of the agency where employed.

**SCHEDULE H. Employment and Business Ownership**

Please answer Questions 1 and 2 as appropriate listing the **name and address of any places of employment and of business entities** wholly or partially owned by you, your spouse, domestic partner or a dependent child, and **from which income was earned during the reporting period whether or not the entity did business with the City**. For example: salaried employment, individual consulting activities, private practices, and business activities involving income-producing real property. **With regard to dependent children, you need report only earned income from employment or an interest in a business entity if that employment or business entity was regulated by the Town.**

**SCHEDULE I. Optional**

You may use this Schedule for any interest or transactions you have not been required to disclose on Schedule A through H but wish to disclose. This Schedule may also be used to further explain any prior entry.

****Alternate formats will be provided upon request for persons with disabilities**