# Form 5500-SF

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

## Short Form Annual Return/Report of Small Employee Benefit Plan

This form is required to be filed under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA), and sections 6057(b) and 6058(a) of the Internal Revenue Code (the Code).

▶ **Complete all entries in accordance with the instructions to the Form 5500-SF.**

OMB Nos. 1210-0110
1210-0089

**2015**

**This Form is Open to Public Inspection**

## Part I Annual Report Identification Information

For calendar plan year 2015 or fiscal plan year beginning 01/01/2015 and ending 06/30/2015

**A** This return/report is for:
- [X] a single-employer plan
- [ ] a multiple-employer plan (not multiemployer) (Filers checking this box must attach a list of participating employer information in accordance with the form instructions)
- [ ] a one-participant plan
- [ ] a foreign plan

**B** This return/report is
- [ ] the first return/report
- [X] the final return/report
- [ ] an amended return/report
- [X] a short plan year return/report (less than 12 months)

**C** Check box if filing under:
- [X] Form 5558
- [ ] automatic extension
- [ ] DFVC program
- [ ] special extension (enter description)

## Part II Basic Plan Information—enter all requested information

**1a** Name of plan
REDLAND BRICK INC. HARMAR PLANT UNION REPRESENTED EMPLOYEES 401(K) SAVINGS PLAN

**1b** Three-digit plan number (PN) ▶ 003

**1c** Effective date of plan 01/01/1985

**2a** Plan sponsor's name (employer, if for a single-employer plan)
Mailing address (include room, apt., suite no. and street, or P.O. Box)
City or town, state or province, country, and ZIP or foreign postal code (if foreign, see instructions)
REDLAND BRICK, INC.

PO BOX 160
WILLIAMSPORT, MD 21795-0160

**2b** Employer Identification Number (EIN) 06-0954641

**2c** Sponsor's telephone number 301-223-7700

**2d** Business code (see instructions) 327900

**3a** Plan administrator's name and address [X] Same as Plan Sponsor.

**3b** Administrator's EIN

**3c** Administrator's telephone number

**4** If the name and/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the name, EIN, and the plan number from the last return/report.
**a** Sponsor's name

**4b** EIN

**4c** PN

| | | |
|---|---|---|
| **5a** Total number of participants at the beginning of the plan year | **5a** | 30 |
| **b** Total number of participants at the end of the plan year | **5b** | 0 |
| **c** Number of participants with account balances as of the end of the plan year (defined benefit plans do not complete this item) | **5c** | 0 |
| **d(1)** Total number of active participants at the beginning of the plan year | **5d(1)** | 29 |
| **d(2)** Total number of active participants at the end of the plan year | **5d(2)** | 0 |
| **e** Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested | **5e** | 0 |

**Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.**

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including, if applicable, a Schedule SB or Schedule MB completed and signed by an enrolled actuary, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

| | | | |
|---|---|---|---|
| **SIGN HERE** | Filed with authorized/valid electronic signature. | 05/24/2016 | JAMES LEAHY |
| | **Signature of plan administrator** | Date | Enter name of individual signing as plan administrator |
| **SIGN HERE** | Filed with authorized/valid electronic signature. | 05/24/2016 | JAMES LEAHY |
| | **Signature of employer/plan sponsor** | Date | Enter name of individual signing as employer or plan sponsor |

Preparer's name (including firm name, if applicable) and address (include room or suite number )

Preparer's telephone number

**6a** Were all of the plan's assets during the plan year invested in eligible assets? (See instructions.) [X] Yes [ ] No

**b** Are you claiming a waiver of the annual examination and report of an independent qualified public accountant (IQPA) under 29 CFR 2520.104-46? (See instructions on waiver eligibility and conditions.) [X] Yes [ ] No

**If you answered "No" to either line 6a or line 6b, the plan cannot use Form 5500-SF and must instead use Form 5500.**

**c** If the plan is a defined benefit plan, is it covered under the PBGC insurance program (see ERISA section 4021)? [ ] Yes [ ] No [ ] Not determined

## Part III Financial Information

| 7 Plan Assets and Liabilities | | (a) Beginning of Year | (b) End of Year |
|---|---|---|---|
| a Total plan assets | 7a | 2132942 | 0 |
| b Total plan liabilities | 7b | 0 | 0 |
| c Net plan assets (subtract line 7b from line 7a) | 7c | 2132942 | 0 |
| **8 Income, Expenses, and Transfers for this Plan Year** | | **(a) Amount** | **(b) Total** |
| a Contributions received or receivable from: (1) Employers | 8a(1) | 8435 | |
| (2) Participants | 8a(2) | 24052 | |
| (3) Others (including rollovers) | 8a(3) | 0 | |
| b Other income (loss) | 8b | 53011 | |
| c Total income (add lines 8a(1), 8a(2), 8a(3), and 8b) | 8c | | 85498 |
| d Benefits paid (including direct rollovers and insurance premiums to provide benefits) | 8d | 200444 | |
| e Certain deemed and/or corrective distributions (see instructions) | 8e | 0 | |
| f Administrative service providers (salaries, fees, commissions) | 8f | 571 | |
| g Other expenses | 8g | 36 | |
| h Total expenses (add lines 8d, 8e, 8f, and 8g) | 8h | | 201051 |
| i Net income (loss) (subtract line 8h from line 8c) | 8i | | -115553 |
| j Transfers to (from) the plan (see instructions) | 8j | -2017389 | |

## Part IV Plan Characteristics

**9a** If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
2E 2F 2G 2J 2K 2T 3H

**B** If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristic Codes in the instructions:

## Part V Compliance Questions

| 10 During the plan year: | | Yes | No | N/A | Amount |
|---|---|---|---|---|---|
| a Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? (See instructions and DOL's Voluntary Fiduciary Correction Program) | 10a | | X | | |
| b Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 10a.) | 10b | | X | | |
| c Was the plan covered by a fidelity bond? | 10c | X | | | 1000000 |
| d Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty? | 10d | | X | | |
| e Were any fees or commissions paid to any brokers, agents, or other persons by an insurance carrier, insurance service, or other organization that provides some or all of the benefits under the plan? (See instructions.) | 10e | | X | | |
| f Has the plan failed to provide any benefit when due under the plan? | 10f | | X | | |
| g Did the plan have any participant loans? (If "Yes," enter amount as of year end.) | 10g | X | | | 0 |
| h If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.) | 10h | X | | | |
| i If 10h was answered "Yes," check the box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3 | 10i | X | | | |
| j Did the plan trust incur unrelated business taxable income? | 10j | | | | |

## Part VI Pension Funding Compliance

**11** Is this a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and complete Schedule SB (Form 5500) and line 11a below) [ ] Yes [ ] No

**11a** Enter the unpaid minimum required contribution for all years from Schedule SB (Form 5500) line 40 **11a**

**12** Is this a defined contribution plan subject to the minimum funding requirements of section 412 of the Code or section 302 of ERISA? [ ] Yes [X] No

(If "Yes," complete line 12a or lines 12b, 12c, 12d, and 12e below, as applicable.)

**a** If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions, and enter the date of the letter ruling granting the waiver. ..... Month _____ Day _____ Year _____

**If you completed line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line 13.**

| | | |
|---|---|---|
| **b** Enter the minimum required contribution for this plan year ..... | **12b** | |
| **c** Enter the amount contributed by the employer to the plan for this plan year ..... | **12c** | |
| **d** Subtract the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the left of a negative amount) ..... | **12d** | |
| **e** Will the minimum funding amount reported on line 12d be met by the funding deadline? ..... | | ☐ Yes ☐ No ☐ N/A |

## Part VII Plan Terminations and Transfers of Assets

| | | |
|---|---|---|
| **13a** Has a resolution to terminate the plan been adopted in any plan year? ..... | | ☐ Yes ☒ No |
| If "Yes," enter the amount of any plan assets that reverted to the employer this year ..... | **13a** | |
| **b** Were all the plan assets distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC? ..... | | ☒ Yes ☐ No |

**c** If during this plan year, any assets or liabilities were transferred from this plan to another plan(s), identify the plan(s) to which assets or liabilities were transferred. (See instructions.)

| **13c(1)** Name of plan(s): | **13c(2)** EIN(s) | **13c(3)** PN(s) |
|---|---|---|
| BELDEN HOLDING & ACQUISITION COMPANY 401(K) PLAN | 20-3803300 | 001 |

## Part VIII Trust Information

| | |
|---|---|
| **14a** Name of trust | **14b** Trust's EIN |
| **14c** Name of trustee or custodian | **14d** Trustee's or custodian's telephone number |

## Part IX IRS Compliance Questions

| | | |
|---|---|---|
| **15a** Is the plan a 401(k) plan? ..... | ☐ Yes | ☐ No |
| **15b** If "Yes," how does the 401(k) plan satisfy the nondiscrimination requirements for employee deferrals and employer matching contributions (as applicable) under sections 401(k)(3) and 401(m)(2)? ..... | ☐ Design-based safe harbor method | ☐ ADP/ACP test |
| **15c** If the ADP/ACP test is used, did the 401(k) plan perform ADP/ACP testing for the plan year using the "current year testing method" for nonhighly compensated employees (Treas. Reg sections 1.401(k)-2(a)(2)(ii) and 1.401(m)-2(a)(2)(ii))? ..... | ☐ Yes | ☐ No |
| **16a** Check the box to indicate the method used by the plan to satisfy the coverage requirements under section 410(b): ..... | ☐ Ratio percentage test | ☐ Average benefit test |
| **16b** Does the plan satisfy the coverage and nondiscrimination tests of sections 410(b) and 401(a)(4) by combining this plan with any other plans under the permissive aggregation rules? ..... | ☐ Yes | ☐ No |
| **17a** Has the plan been timely amended for all required tax law changes? ..... | ☐ Yes | ☐ No ☐ N/A |

**17b** Date the last plan amendment/restatement for the required tax law changes was adopted____/____/____. Enter the applicable code ____ (See instructions for tax law changes and codes).

**17c** If the plan sponsor is an adopter of a pre-approved master and prototype (M&P) or volume submitter plan that is subject to a favorable IRS opinion or advisory letter, enter the date of that favorable letter _____/_____/_____ and the letter's serial number _____.

**17d** If the plan is an individually-designed plan and received a favorable determination letter from the IRS, enter the date of the plan's last favorable determination letter _____/_____/_____.

| | | |
|---|---|---|
| **18** Is the Plan maintained in a U.S. territory (i.e., Puerto Rico (if no election under ERISA section 1022(i)(2) has been made), American Samoa, Guam, the Commonwealth of the Northern Mariana Islands or the U.S. Virgin Islands)? ..... | ☐ Yes | ☐ No |
| **19** Were in-service distributions made during the plan year? ..... | ☐ Yes | ☐ No |
| If "Yes," enter amount ..... | **19** | |
| **20** Were required minimum distributions made to 5% owners who have attained age 70 ½ (regardless of whether or not retired), as required under section 401(a)(9)? ..... | ☐ Yes | ☐ No ☐ N/A |

BELDEN
THE BELDEN BRICK COMPANY

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Fax 330 456-2694
www.beldenbrick.com

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Fraser, Michigan 48026

May 25, 2016

To: DOL/IRS

Re: Late filing of Form 5500s – just cause letter

In July 2015 and August 2015 the 401(k) plans for The Belden Brick Company LLC and Redland Brick, Inc were sent to a new provider and merged together. The details are listed below. The changing from two previous providers to one new provider as well as the merger of the Plans caused confusion regarding short year filings that changed the normal extended due date of our 5500s that has resulted in some of the short plan years to be late.

The Belden Brick Company LLC had one 401(k) plan with Wells Fargo. Assets were transferred over to Fidelity on 7/1/2015 and other plans merged into this as the "surviving plan" and it was renamed the "Belden Holding & Acquisition Company 401(k) Plan", plan #29343.

The 2014 form 5500 was filed as:

The Belden Brick 401(k) Plan
3 digit plan # 006 EIN 20-3803246
Plan ID WF203158
Effective date of the Plan 01/01/1990
Transmitter ID 94-1347393

This plan does require an audit, and that audit is scheduled to take place in July/August 2016 as it is every year, and the 5500 has been extended and is due 10/15/2016.

However, the idea of some 5500s being technically "terminated" and needing a short-year filing with different due dates has recently come up due to previous plans with Principal for Redland Brick.

Redland Brick, Inc had multiple plans with Principal Financial in 2014. Some of these plans were merged into the "Belden Holding & Acquisition Company 401(k) Plan" (Plan 29343) effective 7/1/2015 and some were merged into the "Belden Holding & Acquisition Company 401(k) Plan #2" (Plan 29416) effective 8/1/2015. This second plan was set up because of the different plan eligibility dates of two of the 401(k) plans that Fidelity could not accommodate into our first plan, and we were not able to change those eligibility dates prior to the provider change and the merger of the Plans.

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The Plans filed in 2014, and the conversion dates to Fidelity are:

Redland Brick Inc KF Plant Union Represented Employees 401(k) Savings Plan
Plan # 005 Effective Date 05/01/1997 EIN 06-0954641
This is the "surviving plan" for plan #29416, so no short-year 5500 is required.

The Plans listed below have already been filed, and were filed by the extended due dates:

Redland Brick Inc. Salary Employees 401(k) Savings Plan
Plan # 002 Effective Date 01/01/1985 EIN: 06-0954641
Short year 01/01/2015-07/31/2015
Status: Filed 5/13/16 Due Date: 5/15/16

Redland Brick Inc Union Represented Employees 401(k) Plan
Plan # 006 Effective Date 01/01/2001 EIN: 06-0954641
Short year 01/01/2015-07/31/2015
Status: Filed 5/13/16 Due Date: 5/15/16

The plans listed below are late since they were part of the assets transferred over and merged into the plan 29343 effective 7/1/2015 and we did not discover the short year due date until just before the 5/15/16 due date.

Redland Brick Inc Harmar Plant Union Represented Employees 401(k) Savings Plan
Plan # 003 Effective Date 01/01/1985 EIN 06-0954641
Short year 01/0/2015 – 06/30/2015
Status: Not filed (Late) Due Date: Extended to 4/15/16

Redlant Brick Inc Lawrenceville Employees 401(k) Savings Plan
Plan # 001 Effective Date 01/0/1997 EIN 06-0954641
Status: Not filed (Late) Due Date: Extended to 4/15/16

As you can see above, there was a lot going on regarding these plans in 2015. The normal extended due date that is on our tracker system is 10/15. We generally start working on these returns in June after we close out the year in April with our annual shareholder meeting and catch back up after year-end. And with Principal no longer being our current recordkeeper, we are not regularly in their system to see that the due dates had been accelerated due to the short year filing that was required. And then when we did discover this prior to the 5/15/16 extended due date, we immediately filed the two that had been extended to 5/15/16 that were available on the Principal site to be filed. Then it took several days to figure out why the KF plan and the Belden Brick plan were not also required to have short year 5500s because they were the "surviving plans".

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To complicate matters even more, the Redland CFO retired suddenly in 2015 after this transition was announced but before it was completed. She would have been the person primarily responsible for the Redland 5500 filings with Principal and would have guided this transition from the Redland side of things.

We believe that once we get through this transition of the plan mergers that this will simplify our annual reporting requirements. But more importantly it has allowed for more Plan options at reduced fees for our 401(k) participants.

I would be happy to address any questions that you may have concerning the reasons that these 5500 returns were filed late and hopefully you accept these explanations as just cause.

Sincerely,

James M Leahy

James M Leahy, CPA
Treasurer/CFO