

Form 5500 Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Annual Return/Report of Employee Benefit Plan This form is required to be filed for employee benefit plans 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.	OMB Nos. 1210-0110 1210-0089 2022 This Form is Open to Public Inspection
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Part I	Annual Report Identification Information
For calendar plan year 2022 or fiscal plan year beginning <u>01/01/2022</u> and ending <u>12/31/2022</u>	
A This return/report is for:	☐ a multiemployer plan ☐ a multiple-employer plan (Filers checking this box must attach a list of participating employer information in accordance with the form instructions.) ☒ a single-employer plan ☐ a DFE (specify) ____
B This return/report is:	☐ the first return/report ☐ the final return/report ☐ an amended return/report ☐ a short plan year return/report (less than 12 months)
C If the plan is a collectively-bargained plan, check here.	☐
D Check box if filing under:	☒ Form 5558 ☐ automatic extension ☐ the DFVC program ☐ special extension (enter description)
E If this is a retroactively adopted plan permitted by SECURE Act section 201, check here.	☐

Part II Basic Plan Information —enter all requested information		
1a Name of plan <u>ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PLAN</u>	1b	Three-digit plan number (PN) ▶ <u>001</u>
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) <u>ALBANY COUNTY OPPORTUNITY, INC.PARTNERSHIP</u> <u>333 SHERIDAN AVENUE</u> <u>ALBANY, NY 12206-3133</u>	1c	Effective date of plan <u>03/01/1994</u>
	2b	Employer Identification Number (EIN) <u>14-6037204</u>
	2c	Plan Sponsor's telephone number <u>518-463-3175</u>
	2d	Business code (see instructions) <u>624100</u>

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 accompanying schedules, statements and attachments, 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.	07/24/2023	NEENAH BLAND
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE	Filed with authorized/valid electronic signature.	07/24/2023	NEENAH BLAND
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

For Paperwork Reduction Act Notice, see the Instructions for Form 5500.

Form 5500 (2022)
v. 220413

3a Plan administrator's name and address ☒ Same as Plan Sponsor		3b Administrator's EIN
		3c Administrator's telephone number
4 If the name and/or EIN of the plan sponsor or the plan name has changed since the last return/report filed for this plan, enter the plan sponsor's name, EIN, the plan name and the plan number from the last return/report: a Sponsor's name c Plan Name		4b EIN 4d PN
5 Total number of participants at the beginning of the plan year		5 196
6 Number of participants as of the end of the plan year unless otherwise stated (welfare plans complete only lines 6a(1) , 6a(2) , 6b , 6c , and 6d).		
a(1) Total number of active participants at the beginning of the plan year		6a(1) 130
a(2) Total number of active participants at the end of the plan year		6a(2) 146
b Retired or separated participants receiving benefits		6b 0
c Other retired or separated participants entitled to future benefits.....		6c 45
d Subtotal. Add lines 6a(2) , 6b , and 6c		6d 191
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits.		6e 0
f Total. Add lines 6d and 6e		6f 191
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item).....		6g 160
h Number of participants who terminated employment during the plan year with accrued benefits that were less than 100% vested.....		6h 7
7 Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)		7
8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristics Codes in the instructions: 2F 2G 2L 2M 2T 3D		
b If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristics Codes in the instructions:		
9a Plan funding arrangement (check all that apply) (1) ☒ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ Trust (4) ☐ General assets of the sponsor		9b Plan benefit arrangement (check all that apply) (1) ☒ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ Trust (4) ☐ General assets of the sponsor
10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)		
a Pension Schedules (1) ☒ R (Retirement Plan Information) (2) ☐ MB (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary (3) ☐ SB (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary		b General Schedules (1) ☒ H (Financial Information) (2) ☐ I (Financial Information – Small Plan) (3) ☒ 1 A (Insurance Information) (4) ☒ C (Service Provider Information) (5) ☐ D (DFE/Participating Plan Information) (6) ☐ G (Financial Transaction Schedules)

Part III Form M-1 Compliance Information (to be completed by welfare benefit plans)

11a If the plan provides welfare benefits, was the plan subject to the Form M-1 filing requirements during the plan year? (See instructions and 29 CFR 2520.101-2.) ☐ Yes ☐ No

If "Yes" is checked, complete lines 11b and 11c.

11b Is the plan currently in compliance with the Form M-1 filing requirements? (See instructions and 29 CFR 2520.101-2.) ☐ Yes ☐ No

11c Enter the Receipt Confirmation Code for the 2022 Form M-1 annual report. If the plan was not required to file the 2022 Form M-1 annual report, enter the Receipt Confirmation Code for the most recent Form M-1 that was required to be filed under the Form M-1 filing requirements. (Failure to enter a valid Receipt Confirmation Code will subject the Form 5500 filing to rejection as incomplete.)

Receipt Confirmation Code _____

SCHEDULE A (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Insurance Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ► File as an attachment to Form 5500. ► Insurance companies are required to provide the information pursuant to ERISA section 103(a)(2).	OMB No. 1210-0110 2022 This Form is Open to Public Inspection
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For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022		
A Name of plan ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PLAN	B Three-digit plan number (PN) ►	001
C Plan sponsor's name as shown on line 2a of Form 5500 ALBANY COUNTY OPPORTUNITY, INC.PARTNERSHIP	D Employer Identification Number (EIN) 14-6037204	

Part I	Information Concerning Insurance Contract Coverage, Fees, and Commissions	Provide information for each contract on a separate Schedule A. Individual contracts grouped as a unit in Parts II and III can be reported on a single Schedule A.
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1 Coverage Information:

(a) Name of insurance carrier PRINCIPAL LIFE INSURANCE COMPANY

(b) EIN	(c) NAIC code	(d) Contract or identification number	(e) Approximate number of persons covered at end of policy or contract year	Policy or contract year	
				(f) From	(g) To
42-0127290	61271	613953	191	01/01/2022	12/31/2022

2 Insurance fee and commission information. Enter the total fees and total commissions paid. List in line 3 the agents, brokers, and other persons in descending order of the amount paid.

(a) Total amount of commissions paid 4	(b) Total amount of fees paid 0
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3 Persons receiving commissions and fees. (Complete as many entries as needed to report all persons).

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid WELLS FARGO ADVISORS INS AGENCY LLC SBIA WACHOVIA PROCESSING 13700 REIMER DR N STE 200 MAPLE GROVE, MN 55311-4598
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(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	
4	0		3

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	

(a) Name and address of the agent, broker, or other person to whom commissions or fees were paid

(b) Amount of sales and base commissions paid	Fees and other commissions paid		(e) Organization code
	(c) Amount	(d) Purpose	

Part II Investment and Annuity Contract Information

Where individual contracts are provided, the entire group of such individual contracts with each carrier may be treated as a unit for purposes of this report.

4	Current value of plan's interest under this contract in the general account at year end.....	4	0
5	Current value of plan's interest under this contract in separate accounts at year end.....	5	0

6 Contracts With Allocated Funds:**a** State the basis of premium rates ▶

b	Premiums paid to carrier	6b	
c	Premiums due but unpaid at the end of the year	6c	
d	If the carrier, service, or other organization incurred any specific costs in connection with the acquisition or retention of the contract or policy, enter amount..... Specify nature of costs ▶	6d	

e Type of contract: (1) ☐ individual policies (2) ☐ group deferred annuity
(3) ☐ other (specify) ▶

f If contract purchased, in whole or in part, to distribute benefits from a terminating plan, check here ▶ ☐**7** Contracts With Unallocated Funds (Do not include portions of these contracts maintained in separate accounts)

a Type of contract: (1) ☐ deposit administration (2) ☐ immediate participation guarantee
(3) ☐ guaranteed investment (4) ☒ other ▶ CUSTODIAL GUARANTEED INTEREST CONTRACT

b	Balance at the end of the previous year	7b	1571
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c	Additions: (1) Contributions deposited during the year	7c(1)		
	(2) Dividends and credits	7c(2)		
	(3) Interest credited during the year	7c(3)	13	
	(4) Transferred from separate account	7c(4)		
	(5) Other (specify below)	7c(5)		

(6) Total additions	7c(6)	13
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d	Total of balance and additions (add lines 7b and 7c(6))	7d	1584
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e Deductions:

	(1) Disbursed from fund to pay benefits or purchase annuities during year	7e(1)	175	
	(2) Administration charge made by carrier	7e(2)	12	
	(3) Transferred to separate account	7e(3)		
	(4) Other (specify below)	7e(4)		

(5) Total deductions	7e(5)	187
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f	Balance at the end of the current year (subtract line 7e(5) from line 7d)	7f	1397
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Part III Welfare Benefit Contract Information

If more than one contract covers the same group of employees of the same employer(s) or members of the same employee organizations(s), the information may be combined for reporting purposes if such contracts are experience-rated as a unit. Where contracts cover individual employees, the entire group of such individual contracts with each carrier may be treated as a unit for purposes of this report.

8 Benefit and contract type (check all applicable boxes)

- a** ☐ Health (other than dental or vision)
 b ☐ Dental
 c ☐ Vision
 d ☐ Life insurance
e ☐ Temporary disability (accident and sickness)
 f ☐ Long-term disability
 g ☐ Supplemental unemployment
 h ☐ Prescription drug
i ☐ Stop loss (large deductible)
 j ☐ HMO contract
 k ☐ PPO contract
 l ☐ Indemnity contract
m ☐ Other (specify) ▶

9 Experience-rated contracts:

a Premiums: (1) Amount received	9a(1)		
(2) Increase (decrease) in amount due but unpaid	9a(2)		
(3) Increase (decrease) in unearned premium reserve.....	9a(3)		
(4) Earned ((1) + (2) - (3)).....		9a(4)	
b Benefit charges (1) Claims paid.....	9b(1)		
(2) Increase (decrease) in claim reserves	9b(2)		
(3) Incurred claims (add (1) and (2)).....		9b(3)	
(4) Claims charged		9b(4)	
c Remainder of premium: (1) Retention charges (on an accrual basis) --			
(A) Commissions	9c(1)(A)		
(B) Administrative service or other fees	9c(1)(B)		
(C) Other specific acquisition costs.....	9c(1)(C)		
(D) Other expenses	9c(1)(D)		
(E) Taxes	9c(1)(E)		
(F) Charges for risks or other contingencies	9c(1)(F)		
(G) Other retention charges.....	9c(1)(G)		
(H) Total retention.....		9c(1)(H)	
(2) Dividends or retroactive rate refunds. (These amounts were ☐ paid in cash, or ☐ credited.)		9c(2)	
d Status of policyholder reserves at end of year: (1) Amount held to provide benefits after retirement.....		9d(1)	
(2) Claim reserves		9d(2)	
(3) Other reserves		9d(3)	
e Dividends or retroactive rate refunds due. (Do not include amount entered in line 9c(2).).....		9e	

10 Nonexperience-rated contracts:

a Total premiums or subscription charges paid to carrier	10a	
b If the carrier, service, or other organization incurred any specific costs in connection with the acquisition or retention of the contract or policy, other than reported in Part I, line 2 above, report amount.	10b	
Specify nature of costs.		

Part IV Provision of Information

11 Did the insurance company fail to provide any information necessary to complete Schedule A? ☐ Yes ☒ No

12 If the answer to line 11 is "Yes," specify the information not provided. ▶

SCHEDULE C (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Service Provider Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA). ▶ File as an attachment to Form 5500.	OMB No. 1210-0110
		2022
		This Form is Open to Public Inspection.

For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022		
A Name of plan ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PLAN	B Three-digit plan number (PN) ▶	001
C Plan sponsor's name as shown on line 2a of Form 5500 ALBANY COUNTY OPPORTUNITY, INC.PARTNERSHIP	D Employer Identification Number (EIN) 14-6037204	

Part I	Service Provider Information (see instructions)
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You must complete this Part, in accordance with the instructions, to report the information required for **each person** who received, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of monetary value) in connection with services rendered to the plan or the person's position with the plan during the plan year. If a person received **only** eligible indirect compensation for which the plan received the required disclosures, you are required to answer line 1 but are not required to include that person when completing the remainder of this Part.

1 Information on Persons Receiving Only Eligible Indirect Compensation

- a Check "Yes" or "No" to indicate whether you are excluding a person from the remainder of this Part because they received only eligible indirect compensation for which the plan received the required disclosures (see instructions for definitions and conditions)..... ☒ Yes ☐ No
- b If you answered line 1a "Yes," enter the name and EIN or address of each person providing the required disclosures for the service providers who received only eligible indirect compensation. Complete as many entries as needed (see instructions).

(b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation
PRINCIPAL LIFE INSURANCE COMPANY
42-0127290

(b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation
--

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2. Information on Other Service Providers Receiving Direct or Indirect Compensation. Except for those persons for whom you answered "Yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

(a) Enter name and EIN or address (see instructions)

PRINCIPAL LIFE INSURANCE COMPANY

42-0127290

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
13 37 50 64	CONTRACT ADMINISTRATOR	22362	Yes ☒ No ☐	Yes ☒ No ☐	0	Yes ☐ No ☒

(a) Enter name and EIN or address (see instructions)

WELLS FARGO CLEARING SERVICES LLC

34-1542819

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
49 55 99	OTHER SERVICES	0	Yes ☒ No ☐	Yes ☐ No ☒	7405	Yes ☐ No ☒

(a) Enter name and EIN or address (see instructions)

WILSHIRE ADVISORS LLC

95-2755361

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
27 72	INVESTMENT ADVISORY	0	Yes ☒ No ☐	Yes ☐ No ☒	0	Yes ☒ No ☐

Part I Service Provider Information (continued)

3. If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
WELLS FARGO CLEARING SERVICES LLC	49 55 99	7405
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
PRINCIPAL LIFE INSURANCE COMPANY 42-0127290	COMMISSIONS AND REFERRAL/SERVICE FEE	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
WILSHIRE ADVISORS LLC	27 72	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
PRINCIPAL LIFE INSURANCE COMPANY 42-0127290	1 BASIS POINT ANNUALLY ON ELIGIBLE PLAN ASSETS IN WILSHIRE 3(21) OR WILSHIRE 3(21) AUTO-EXECUTE FIDUCIARY SERVICE.	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	

Part II Service Providers Who Fail or Refuse to Provide Information

4 Provide, to the extent possible, the following information for each service provider who failed or refused to provide the information necessary to complete this Schedule.

(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide

Part III Termination Information on Accountants and Enrolled Actuaries (see instructions)
(complete as many entries as needed)

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

SCHEDULE H (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Financial Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the Internal Revenue Code (the Code). ► File as an attachment to Form 5500.	OMB No. 1210-0110 2022 This Form is Open to Public Inspection
For calendar plan year 2022 or fiscal plan year beginning <u>01/01/2022</u> and ending <u>12/31/2022</u>		
A Name of plan <u>ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PLAN</u>		B Three-digit plan number (PN) <u>001</u>
C Plan sponsor's name as shown on line 2a of Form 5500 <u>ALBANY COUNTY OPPORTUNITY, INC.PARTNERSHIP</u>		D Employer Identification Number (EIN) <u>14-6037204</u>

Part I Asset and Liability Statement			
1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.			
Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash.....	1a		
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions.....	1b(1)		<u>4674</u>
(2) Participant contributions.....	1b(2)		<u>5348</u>
(3) Other.....	1b(3)		
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit).....	1c(1)		
(2) U.S. Government securities	1c(2)		
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)		
(B) All other	1c(3)(B)		
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)		
(B) Common.....	1c(4)(B)		
(5) Partnership/joint venture interests	1c(5)		
(6) Real estate (other than employer real property)	1c(6)		
(7) Loans (other than to participants).....	1c(7)		
(8) Participant loans.....	1c(8)	<u>72470</u>	<u>75177</u>
(9) Value of interest in common/collective trusts.....	1c(9)		
(10) Value of interest in pooled separate accounts	1c(10)		
(11) Value of interest in master trust investment accounts.....	1c(11)		
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds).....	1c(13)	<u>3253351</u>	<u>2725153</u>
(14) Value of funds held in insurance company general account (unallocated contracts).....	1c(14)	<u>1571</u>	<u>1397</u>
(15) Other	1c(15)		

1d Employer-related investments:		(a) Beginning of Year	(b) End of Year
(1) Employer securities	1d(1)		
(2) Employer real property	1d(2)		
e Buildings and other property used in plan operation	1e		
f Total assets (add all amounts in lines 1a through 1e)	1f	3327392	2811749

Liabilities

g Benefit claims payable	1g		
h Operating payables	1h		
i Acquisition indebtedness	1i		
j Other liabilities	1j		
k Total liabilities (add all amounts in lines 1g through 1j)	1k	0	0

Net Assets

l Net assets (subtract line 1k from line 1f)	1l	3327392	2811749
---	-----------	---------	---------

Part II Income and Expense Statement

2 Plan income, expenses, and changes in net assets for the year. Include all income and expenses of the plan, including any trust(s) or separately maintained fund(s) and any payments/receipts to/from insurance carriers. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 2a, 2b(1)(E), 2e, 2f, and 2g.

Income

		(a) Amount	(b) Total
a Contributions:			
(1) Received or receivable in cash from: (A) Employers	2a(1)(A)	113284	
(B) Participants	2a(1)(B)	138776	
(C) Others (including rollovers)	2a(1)(C)		
(2) Noncash contributions	2a(2)		
(3) Total contributions. Add lines 2a(1)(A) , (B) , (C) , and line 2a(2)	2a(3)		252060
b Earnings on investments:			
(1) Interest:			
(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)		
(B) U.S. Government securities	2b(1)(B)		
(C) Corporate debt instruments	2b(1)(C)		
(D) Loans (other than to participants)	2b(1)(D)		
(E) Participant loans	2b(1)(E)	3445	
(F) Other	2b(1)(F)	13	
(G) Total interest. Add lines 2b(1)(A) through (F)	2b(1)(G)		3458
(2) Dividends: (A) Preferred stock	2b(2)(A)		
(B) Common stock	2b(2)(B)		
(C) Registered investment company shares (e.g. mutual funds)	2b(2)(C)	29717	
(D) Total dividends. Add lines 2b(2)(A) , (B) , and (C)	2b(2)(D)		29717
(3) Rents	2b(3)		
(4) Net gain (loss) on sale of assets: (A) Aggregate proceeds	2b(4)(A)		
(B) Aggregate carrying amount (see instructions)	2b(4)(B)		
(C) Subtract line 2b(4)(B) from line 2b(4)(A) and enter result	2b(4)(C)		0
(5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		
(B) Other	2b(5)(B)		
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		0

		(a) Amount	(b) Total
(6) Net investment gain (loss) from common/collective trusts	2b(6)		
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		
(8) Net investment gain (loss) from master trust investment accounts	2b(8)		
(9) Net investment gain (loss) from 103-12 investment entities.....	2b(9)		
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		-615965
c Other income	2c		
d Total income. Add all income amounts in column (b) and enter total	2d		-330730
Expenses			
e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	162550	
(2) To insurance carriers for the provision of benefits	2e(2)		
(3) Other	2e(3)		
(4) Total benefit payments. Add lines 2e(1) through (3)	2e(4)		162550
f Corrective distributions (see instructions)	2f		
g Certain deemed distributions of participant loans (see instructions)	2g		
h Interest expense	2h		
i Administrative expenses: (1) Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)	22363	
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)		
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		22363
j Total expenses. Add all expense amounts in column (b) and enter total	2j		184913
Net Income and Reconciliation			
k Net income (loss). Subtract line 2j from line 2d	2k		-515643
l Transfers of assets:			
(1) To this plan	2l(1)		
(2) From this plan	2l(2)		

Part III Accountant's Opinion

3 Complete lines 3a through 3c if the opinion of an independent qualified public accountant is attached to this Form 5500. Complete line 3d if an opinion is not attached.

a The attached opinion of an independent qualified public accountant for this plan is (see instructions):

(1) ☒ Unmodified (2) ☐ Qualified (3) ☐ Disclaimer (4) ☐ Adverse

b Check the appropriate box(es) to indicate whether the IQPA performed an ERISA section 103(a)(3)(C) audit. Check both boxes (1) and (2) if the audit was performed pursuant to both 29 CFR 2520.103-8 and 29 CFR 2520.103-12(d). Check box (3) if pursuant to neither.

(1) ☒ DOL Regulation 2520.103-8 (2) ☐ DOL Regulation 2520.103-12(d) (3) ☐ neither DOL Regulation 2520.103-8 nor DOL Regulation 2520.103-12(d).

c Enter the name and EIN of the accountant (or accounting firm) below:

(1) Name: UHY LLP

(2) EIN: 20-0694403

d The opinion of an independent qualified public accountant is **not attached** because:

(1) ☐ This form is filed for a CCT, PSA, or MTIA. (2) ☐ It will be attached to the next Form 5500 pursuant to 29 CFR 2520.104-50.

Part IV Compliance Questions

4 CCTs and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete lines 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete lines 4j and 4l. MTIAs also do not complete line 4l.

During the plan year:

a Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.)

	Yes	No	Amount
4a		X	

	Yes	No	Amount
b Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.)			
4b		X	
c Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)			
4c		X	
d Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.)			
4d		X	
e Was this plan covered by a fidelity bond?	X		500000
f Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?		X	
4f		X	
g Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser?			
4g		X	
h Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?			
4h		X	
i Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.)	X		
4i	X		
j Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked and see instructions for format requirements.)			
4j		X	
k Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?			
4k		X	
l Has the plan failed to provide any benefit when due under the plan?			
4l		X	
m If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)			
4m		X	
n If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.			
4n			

5a Has a resolution to terminate the plan been adopted during the plan year or any prior plan year? ☐ Yes ☒ No
If "Yes," enter the amount of any plan assets that reverted to the employer this year _____.

5b 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.)

5b(1) Name of plan(s)	5b(2) EIN(s)	5b(3) PN(s)

5c Was the plan a defined benefit plan covered under the PBGC insurance program at any time during this plan year? (See ERISA section 4021 and instructions.) ☐ Yes ☐ No ☐ Not determined

If "Yes" is checked, enter the My PAA confirmation number from the PBGC premium filing for this plan year _____.

SCHEDULE R (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Retirement Plan Information This schedule is required to be filed under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6058(a) of the Internal Revenue Code (the Code). ► File as an attachment to Form 5500.	OMB No. 1210-0110 2022 This Form is Open to Public Inspection.
For calendar plan year 2022 or fiscal plan year beginning 01/01/2022 and ending 12/31/2022		
A Name of plan ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PLAN		B Three-digit plan number (PN) ► 001
C Plan sponsor's name as shown on line 2a of Form 5500 ALBANY COUNTY OPPORTUNITY, INC.PARTNERSHIP		D Employer Identification Number (EIN) 14-6037204
Part I Distributions		
All references to distributions relate only to payments of benefits during the plan year.		
1 Total value of distributions paid in property other than in cash or the forms of property specified in the instructions.....		1 0
2 Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits): EIN(s): 42-0127290		
Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.		
3 Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year.....		3 33
Part II Funding Information (If the plan is not subject to the minimum funding requirements of section 412 of the Internal Revenue Code or ERISA section 302, skip this Part.)		
4 Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)? ☐ Yes ☐ No ☐ N/A If the plan is a defined benefit plan, go to line 8.		
5 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 ruling letter granting the waiver. Date: Month _____ Day _____ Year _____ If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.		
6 a Enter the minimum required contribution for this plan year (include any prior year accumulated funding deficiency not waived).....		6a
b Enter the amount contributed by the employer to the plan for this plan year.....		6b
c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount).....		6c
If you completed line 6c, skip lines 8 and 9.		
7 Will the minimum funding amount reported on line 6c be met by the funding deadline? ☐ Yes ☐ No ☐ N/A		
8 If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure or other authority providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change? ☐ Yes ☐ No ☐ N/A		
Part III Amendments		
9 If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box. If no, check the "No" box..... ☐ Increase ☐ Decrease ☐ Both ☐ No		
Part IV ESOPs (see instructions). If this is not a plan described under section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.		
10 Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?.....		☐ Yes ☐ No
11 a Does the ESOP hold any preferred stock?.....		☐ Yes ☐ No
b If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan? (See instructions for definition of "back-to-back" loan.).....		☐ Yes ☐ No
12 Does the ESOP hold any stock that is not readily tradable on an established securities market?.....		☐ Yes ☐ No
For Paperwork Reduction Act Notice, see the Instructions for Form 5500.		Schedule R (Form 5500) 2022 v. 220413

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

13 Enter the following information for each employer that (1) contributed more than 5% of total contributions to the plan during the plan year or (2) was one of the top-ten highest contributors (measured in dollars). See instructions. *Complete as many entries as needed to report all applicable employers.*

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete lines 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

14 Enter the number of deferred vested and retired participants (inactive participants), as of the beginning of the plan year, whose contributing employer is no longer making contributions to the plan for:	14a		
a The current plan year. Check the box to indicate the counting method used to determine the number of inactive participants: ☐ last contributing employer ☐ alternative ☐ reasonable approximation (see instructions for required attachment).....		14b	
b The plan year immediately preceding the current plan year. ☐ Check the box if the number reported is a change from what was previously reported (see instructions for required attachment)			14c
c The second preceding plan year. ☐ Check the box if the number reported is a change from what was previously reported (see instructions for required attachment)			
15 Enter the ratio of the number of participants under the plan on whose behalf no employer had an obligation to make an employer contribution during the current plan year to:	15a		
a The corresponding number for the plan year immediately preceding the current plan year.....		15b	
b The corresponding number for the second preceding plan year.....			
16 Information with respect to any employers who withdrew from the plan during the preceding plan year:	16a		
a Enter the number of employers who withdrew during the preceding plan year		16b	
b If line 16a is greater than 0, enter the aggregate amount of withdrawal liability assessed or estimated to be assessed against such withdrawn employers.....			
17 If assets and liabilities from another plan have been transferred to or merged with this plan during the plan year, check box and see instructions regarding supplemental information to be included as an attachment ☐			

Part VI Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans

18 If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole or in part) of liabilities to such participants and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see instructions regarding supplemental information to be included as an attachment ☐

19 If the total number of participants is 1,000 or more, complete lines (a) through (c)

a Enter the percentage of plan assets held as:
 Stock: _____% Investment-Grade Debt: _____% High-Yield Debt: _____% Real Estate: _____% Other: _____%

b Provide the average duration of the combined investment-grade and high-yield debt:
☐ 0-3 years ☐ 3-6 years ☐ 6-9 years ☐ 9-12 years ☐ 12-15 years ☐ 15-18 years ☐ 18-21 years ☐ 21 years or more

c What duration measure was used to calculate line 19(b)?
☐ Effective duration ☐ Macaulay duration ☐ Modified duration ☐ Other (specify): _____

20 PBGC missed contribution reporting requirements. If this is a multiemployer plan or a single-employer plan that is not covered by PBGC, skip line 20.

a Is the amount of unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40 greater than zero? ☐ Yes ☐ No

b If line 20a is "Yes," has PBGC been notified as required by ERISA sections 4043(c)(5) and/or 303(k)(4)? Check the applicable box:

☐ Yes.

☐ No. Reporting was waived under 29 CFR 4043.25(c)(2) because contributions equal to or exceeding the unpaid minimum required contribution were made by the 30th day after the due date.

☐ No. The 30-day period referenced in 29 CFR 4043.25(c)(2) has not yet ended, and the sponsor intends to make a contribution equal to or exceeding the unpaid minimum required contribution by the 30th day after the due date.

☐ No. Other. Provide explanation _____

**ALBANY COUNTY
OPPORTUNITY, INC. AND SUBSIDIARIES**

AUDITED CONSOLIDATED FINANCIAL STATEMENTS AND
REPORTS REQUIRED UNDER THE SINGLE AUDIT ACT

Years ended February 28, 2023 and February 28, 2022

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES

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INDEPENDENT AUDITOR'S REPORT

Board of Directors
Albany County Opportunity, Inc. and Subsidiaries

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying consolidated financial statements of Albany County Opportunity, Inc. (d/b/a Albany Community Action Partnership) and Subsidiaries (a Not-for-Profit Entity), which comprise the consolidated statements of financial position as of February 28, 2023 and February 28, 2022, and the related consolidated statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the consolidated financial statements.

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of Albany County Opportunity, Inc. and Subsidiaries as of February 28, 2023 and February 28, 2022 and the changes in their net assets and their cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Albany County Opportunity, Inc. and Subsidiaries and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Albany County Opportunity, Inc. and Subsidiaries' ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and Government Auditing Standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Albany County Opportunity, Inc. and Subsidiaries' internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Albany County Opportunity, Inc. and Subsidiaries' ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The consolidating statements of financial position, activities, and reconciliation of grant expenses to consolidated statement of functional expenses on pages 22 through 24 is presented for purposes of additional analysis and is not a required part of the consolidated financial statements. The accompanying schedule of expenditures of federal awards on page 25, as required by Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, is presented for purposes of additional analysis and is also not a required part of the consolidated financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the consolidated financial statements. The information has been subjected to the auditing procedures applied in the audit of the consolidated financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the consolidated financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated July 14, 2023, on our consideration of Albany County Opportunity, Inc. and Subsidiaries' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of Albany County Opportunity, Inc. and Subsidiaries' internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Albany County Opportunity, Inc. and Subsidiaries' internal control over financial reporting and compliance.

UHY LLP

Albany, New York
July 14, 2023

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF FINANCIAL POSITION
February 28, 2023 and February 28, 2022

	<u>2023</u>	<u>2022</u>
ASSETS		
CURRENT ASSETS		
Cash and cash equivalents	\$ 5,437,006	\$ 5,395,513
Contracts and grants receivable	1,050,648	999,258
Inventory	66,725	52,282
Prepaid expenses	17,721	8,930
Total current assets	<u>6,572,100</u>	<u>6,455,983</u>
INVESTMENTS, at fair value	<u>974,923</u>	<u>1,094,137</u>
PROPERTY AND EQUIPMENT, net	<u>1,310,446</u>	<u>1,422,904</u>
OPERATING LEASE RIGHT OF USE ASSETS	<u>382,897</u>	<u>-</u>
OTHER ASSETS		
Security deposits and other	<u>20,872</u>	<u>20,822</u>
Total other assets	<u>20,872</u>	<u>20,822</u>
Total assets	<u><u>\$ 9,261,238</u></u>	<u><u>\$ 8,993,846</u></u>
LIABILITIES AND NET ASSETS		
LIABILITIES		
Accounts payable	\$ 99,531	\$ 128,731
Accrued payroll and vacation	561,662	536,902
Accrued expenses	67,820	86,405
Deferred revenue	486,694	553,094
Other postemployment benefit obligation, current portion	8,749	8,797
Operating lease liabilities, current portion	247,247	-
Note payable, current portion	<u>36,920</u>	<u>35,358</u>
Total current liabilities	<u>1,508,623</u>	<u>1,349,287</u>
Other postemployment benefit obligation, net of current portion	67,172	73,618
Operating lease liabilities, net of current portion	108,294	-
Note payable, net of current portion	<u>871,932</u>	<u>910,074</u>
Total long-term liabilities	<u>1,047,398</u>	<u>983,692</u>
Total liabilities	<u>2,556,021</u>	<u>2,332,979</u>
NET ASSETS		
Without donor restriction		
Undesignated	5,276,233	5,127,115
Invested in property and equipment	1,310,446	1,422,904
Board designated for program support	15,287	18,537
With donor restriction	<u>103,251</u>	<u>92,311</u>
Total net assets	<u>6,705,217</u>	<u>6,660,867</u>
Total liabilities and net assets	<u><u>\$ 9,261,238</u></u>	<u><u>\$ 8,993,846</u></u>

See notes to consolidated financial statements.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF ACTIVITIES
Years Ended February 28, 2023 and February 28, 2022

	<u>2023</u>	<u>2022</u>
Revenues, Gains and Other Support Without Donor Restrictions		
Program service revenue	\$ 8,705,073	\$ 8,978,713
Contributions	60,455	63,528
Contributed nonfinancial assets	800,483	492,174
Investment (loss) income	(119,028)	40,488
Paycheck Protection Program loan forgiveness	-	483,484
Other revenue	269,803	310,854
Net assets released from restrictions:		
Satisfaction of program restrictions	350	201,253
	<u>9,717,136</u>	<u>10,570,494</u>
Total revenues, gains and other support without donor restrictions		
Expenses		
Program services	8,480,393	8,380,080
Management and general	1,202,612	1,162,042
Other	721	1,526
	<u>9,683,726</u>	<u>9,543,648</u>
Total expenses		
Change in Net Assets Without Donor Restrictions	<u>33,410</u>	<u>1,026,846</u>
Change in Net Assets With Donor Restrictions		
Contributions	11,290	21,084
Net assets released from restrictions	(350)	(201,253)
	<u>10,940</u>	<u>(180,169)</u>
Change in Net Assets With Donor Restrictions		
Change in Net Assets	<u>44,350</u>	<u>846,677</u>
Net Assets at Beginning of Year	<u>6,660,867</u>	<u>5,814,190</u>
Net Assets at End of Year	<u><u>\$ 6,705,217</u></u>	<u><u>\$ 6,660,867</u></u>

See notes to consolidated financial statements.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENT OF FUNCTIONAL EXPENSES
Year Ended February 28, 2023
(WITH COMPARATIVE TOTALS FOR 2022)

	Program Services				Support Services	Subsidiaries	Total	
	Early Childhood Education	Community and Career Services	Weatherization Programs	Total Program Services	Management and General		2023	2022
Payroll and Related Benefits								
Salaries	\$ 3,699,115	\$ 408,481	\$ 376,386	\$ 4,483,982	\$ 691,102	\$ -	\$ 5,175,084	\$ 5,219,921
Fringe benefits	868,171	102,206	91,738	1,062,115	178,707	-	1,240,822	1,266,223
Total payroll and related benefits	4,567,286	510,687	468,124	5,546,097	869,809	-	6,415,906	6,486,144
Occupancy	682,707	76,728	45,433	804,868	43,970	-	848,838	839,377
Travel	8,609	1,827	36,213	46,649	930	-	47,579	35,238
Materials and supplies	428,123	6,751	105,497	540,371	11,597	-	551,968	482,177
In-kind expenses	688,279	112,204	-	800,483	-	-	800,483	492,174
Contractual and other support services	326,456	215,130	140,991	682,577	241,801	721	925,099	1,105,285
Funded depreciation	59,348	-	-	59,348	-	-	59,348	59,348
Total other expenses	2,193,522	412,640	328,134	2,934,296	298,298	721	3,233,315	3,013,599
Total expenses before depreciation	6,760,808	923,327	796,258	8,480,393	1,168,107	721	9,649,221	9,499,743
Depreciation	-	-	-	-	34,505	-	34,505	43,905
Total expenses	\$ 6,760,808	\$ 923,327	\$ 796,258	\$ 8,480,393	\$ 1,202,612	\$ 721	\$ 9,683,726	\$ 9,543,648

See notes to consolidated financial statements.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENT OF FUNCTIONAL EXPENSES
Year Ended February 28, 2022

	Program Services				Support Services		
	Early Childhood Education	Community and Career Services	Weatherization Programs	Total Program Services	Management and General	Subsidiaries	2022
Payroll and Related Benefits							
Salaries	\$ 3,685,526	\$ 550,387	\$ 331,959	\$ 4,567,872	\$ 652,049	\$ -	\$ 5,219,921
Fringe benefits	877,773	136,588	78,565	1,092,926	173,297	-	1,266,223
Total payroll and related benefits	4,563,299	686,975	410,524	5,660,798	825,346	-	6,486,144
Occupancy	687,093	77,091	42,173	806,357	33,020	-	839,377
Travel	7,657	1,883	25,698	35,238	-	-	35,238
Materials and supplies	396,874	10,284	69,718	476,876	5,301	-	482,177
In-kind expenses	445,235	46,939	-	492,174	-	-	492,174
Contractual and other support services	545,231	93,564	210,494	849,289	254,470	1,526	1,105,285
Funded depreciation	59,348	-	-	59,348	-	-	59,348
Total other expenses	2,141,438	229,761	348,083	2,719,282	292,791	1,526	3,013,599
Total expenses before depreciation	6,704,737	916,736	758,607	8,380,080	1,118,137	1,526	9,499,743
Depreciation	-	-	-	-	43,905	-	43,905
Total expenses	\$ 6,704,737	\$ 916,736	\$ 758,607	\$ 8,380,080	\$ 1,162,042	\$ 1,526	\$ 9,543,648

See notes to consolidated financial statements.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATED STATEMENTS OF CASH FLOWS
Years ended February 28, 2023 and February 28, 2022

	<u>2023</u>	<u>2022</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ 44,350	\$ 846,677
Adjustments to reconcile change in net assets to net cash provided by operating activities:		
Depreciation	93,853	103,253
Realized and unrealized loss (gain) on investments	156,008	23,251
Gain on disposal of equipment	(14,795)	-
Paycheck Protection Program loan forgiveness	-	(483,484)
Changes in:		
Contracts and grants receivable	(51,390)	272,492
Inventory	(14,443)	(17,027)
Prepaid expenses	(8,791)	(138)
Operating lease right of use assets	(382,897)	-
Security deposits	(50)	(2,175)
Accounts payable	(29,200)	2,535
Accrued payroll and vacation	24,760	22,524
Accrued expenses	(18,585)	(163,143)
Deferred revenue	(66,400)	271,359
Other postemployment benefit obligation	(6,494)	2,661
Operating lease liabilities	355,541	-
Net cash provided by operating activities	<u>81,467</u>	<u>878,785</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Proceeds from sales and maturities of investments	-	86,000
Purchases of investments	(36,794)	(62,069)
Proceeds from sale of property and equipment	33,400	
Purchase of property and equipment	-	(24,321)
Net cash used in investing activities	<u>(3,394)</u>	<u>(390)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments on Paycheck Protection Program loan	-	(805,313)
Payments on note payable	(36,580)	(33,824)
Net cash used in financing activities	<u>(36,580)</u>	<u>(839,137)</u>
Net increase in cash and cash equivalents	41,493	39,258
Cash and cash equivalents:		
Beginning of year	<u>5,395,513</u>	<u>5,356,255</u>
End of year	<u><u>\$ 5,437,006</u></u>	<u><u>\$ 5,395,513</u></u>
SUPPLEMENTAL SCHEDULE OF CASH FLOW INFORMATION		
Cash paid for interest	<u><u>\$ 39,548</u></u>	<u><u>\$ 42,303</u></u>

See notes to consolidated financial statements.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities

Albany County Opportunity, Inc. (ACOI) (d/b/a Albany Community Action Partnership) was incorporated on August 1, 1966 under Section 201 of the not-for-profit law of the State of New York. The tax exempt purposes are: to eliminate and prevent poverty; to open opportunities for education, training and work, and to provide the opportunity to live in decency and dignity; to assist and encourage the raising of the moral and educational standards of the youth and citizens of the County; and to assist other organizations dedicated to the same or similar purposes.

The following are wholly-owned subsidiaries of ACOI:

- Capital Works, LLC provides complete staffing and job placement services to capital region human service organizations.
- Lexington Project, LLC was organized to acquire property.
- Career Links Creating Opportunities That Last, Inc. (inactive since March 2013).

Principles of Consolidation

The consolidated financial statements include the accounts of ACOI and the Subsidiaries (collectively, the Organization). All significant intercompany accounts and transactions have been eliminated.

Basis of Accounting

The accompanying consolidated financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

Basis of Presentation

The Organization is required to report information regarding their financial position and activities according to two classes of net assets: net assets without donor restrictions and net assets with donor restrictions.

Net assets without donor restrictions – Net assets resulting from revenues whose use by ACOI is not subject to donor-imposed restrictions.

Net assets with donor restrictions – Net assets resulting from revenues whose use by ACOI is limited by donor-imposed stipulations that either expire by passage of time or when the stipulations have been fulfilled.

When a restriction expires, net assets with donor restriction are reclassified to net assets without donor restriction and reported in the statement of activities as net assets released from restriction.

Estimates

The preparation of consolidated financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Recently Adopted Accounting Pronouncement

In February 2016, the Financial Accounting Standards Board ("FASB") issued Accounting Standard Update ("ASU") 2016-02, which requires the Organization as the lessee to recognize most leases on the balance sheet thereby resulting in the recognition of lease assets and liabilities for those leases currently classified as operating leases. ASU 2016-02 is effective for the Organization beginning March 1, 2022 with early adoption permitted. The primary impact to the consolidated financial position upon adoption is the recognition, on a discounted basis, of the minimum commitments under noncancelable operating leases on the consolidated statements of financial position resulting in the recording of right of use assets and lease obligations.

The Organization adopted the new standard effective March 1, 2022 using the modified retrospective approach. This approach allows the Organization to initially apply the new accounting standards at the adoption date and recognize a cumulative adjustment to the opening balance of net assets in the period of adoption. The prior year comparative information has not been restated and continues to be reported under the accounting standards in effect for that period. The adoption of the new standard had no impact on net assets. At March 1, 2022, the Organization recorded an operating lease right-of-use asset totaling \$494,072 and an operating lease liability totaling \$494,072.

The new standard provides a number of optional practical expedients at transition. The Organization elected certain practical expedients that must be elected as a package, which permit the Organization to not reassess, under the new standard, prior conclusions about (1) lease identification, (2) lease classification and (3) initial direct costs. Additionally, the Organization elected a short-term lease exception policy, which allows entities to not apply the new standard to short-term leases (i.e. leases with terms of 12 months or less) and a hindsight policy, which allows an entity to include current considerations for existing leases when determining initial lease terms. The Organization has also elected to utilize a risk-free rate for all leases when calculating the lease liabilities.

In September 2020, the FASB issued Accounting Standards Update (ASU) 2020-07, *Not-for-Profit Entities (Topic 958): Presentation and Disclosures by Not-for-Profit Entities for Contributed Nonfinancial Assets*. The purpose of the ASU 2020-07 is to clarify the presentation and disclosure of contributed nonfinancial assets with an intention to provide the reader of the financial statements a clearer understanding of what type of nonfinancial assets were received and how they are used and recognized.

Accordingly, the Organization adopted the standard and presented in the consolidated statement of activities \$800,483 and \$492,174 of contributed nonfinancial assets for February 28, 2023, and 2022, respectively. More information on the adoption, including restrictions and valuations of the contributions, is included in Note 16.

Cash and Cash Equivalents

For purposes of the consolidated statements of cash flows, the Organization considers all highly liquid investments purchased with a maturity of three months or less, including overnight repurchase agreements, to be cash equivalents.

Receivables

Receivables are stated at the amount management expects to collect from outstanding balances. ACOI uses the direct write-off method of accounting for bad debts. Management believes any allowance for bad debts would be immaterial.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Capitalization and Depreciation

Property and equipment are recorded at cost or fair value at the date of the gift in the case of donated equipment. Depreciation is provided for in amounts sufficient to relate the cost of depreciable assets to operations over their estimated service lives using the straight-line method. Improvements are capitalized, while expenditures for maintenance and repairs are charged to expense as incurred. Upon disposal of depreciable property, the appropriate property accounts are reduced by the related costs and accumulated depreciation. The resulting gains and losses are reflected in the consolidated statements of activities.

Certain capitalized property and equipment are funded by federal expenditures.

Depreciation is computed on the straight-line method over the estimated useful lives of the underlying assets as follows:

	<u>Years</u>
Buildings and improvements	5 – 39.5
Vehicles and equipment	5 - 7

Depreciation expense for the years ended February 28, 2023 and February 28, 2022 was \$93,853 and \$103,253, respectively.

Revenue Recognition and Deferred Revenue

In accordance with ASC 958 and the clarified guidance under Accounting Standards Update (“ASU”) 2018-08, ACOI evaluates the characteristics of each grant award and determines if the grant is a contribution to ACOI or an exchange transaction between the resource provider and ACOI based on the criteria contained in the grant award. Awards accounted for as contributions are considered conditional or unconditional, depending on the nature and existence of any donor or grantor conditions.

Conditional contributions are recognized when the barrier(s) to entitlement are overcome. Amounts received in which conditions have not been met are reflected as deferred revenue.

Unconditional contributions are recognized as revenue when received. Unconditional contributions or conditional contributions in which the conditions have been substantially met or explicitly waived by the donor are recorded as revenues, gains, and other support with or without donor restrictions, depending on the existence and nature of any donor restrictions. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the consolidated statement of activities as net assets released from restrictions. Contributions that are restricted by the donor are reported as increases in net assets without donor restrictions if the restrictions expire in the fiscal year in which the contributions are recognized.

Revenue for grants or other services accounted for as exchange transactions is recognized when control of the promised goods or services is transferred to the customer (grantor) in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services. Amounts received in advance are recorded in the consolidated statements of financial position as deferred revenue.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Promises to Give

Contributions are recognized when the donor makes an unconditional promise to give to the Organization. Contributions that are restricted by the donor are reported as increases in net assets without donor restrictions if the restrictions expire in the fiscal year in which the contributions are recognized. All other donor-restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, that is, when a stipulated time restriction ends or purpose is accomplished, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statement of activities as net assets released from restrictions.

Expense Allocation

The costs of providing various programs and other activities have been summarized on a functional basis in the consolidated statements of activities and in the consolidated statements of functional expenses. Accordingly, certain costs have been allocated among the programs and supporting services benefited.

Inventories

Inventories, which consist primarily of program supplies and materials, are valued at the lower of cost or net realizable value. Cost is determined on the first-in, first-out method.

Indirect Cost Rate

The Organization uses an indirect cost rate for the purpose of allocating indirect costs. The methodology used to develop the indirect cost rate was approved by the U.S. Department of Health and Human Services. The indirect cost allocation plan for the years ended February 28, 2023 and February 28, 2022 was approved by the ACOI's federal cognizant organization, with a proposed indirect cost rate. The provisional indirect cost rate for the year ended February 28, 2023 was 12.5% and the actual indirect cost rate for the year ended February 28, 2022 was 12.5%.

Subsequent Events

The Organization has evaluated events after February 28, 2023, and through July 14, 2023, which is the date the consolidated financial statements were available to be issued.

Income Taxes

ACOI is exempt from federal income taxes as a not-for-profit corporation under tax Section 501(c)(3) as determined by the Internal Revenue Code. In addition, ACOI qualifies for charitable contribution deductions and has been classified as an organization other than a private foundation. Under ASC Section 740, the tax status of tax-exempt entities is an uncertain tax position, since events could potentially occur that jeopardize tax-exempt status. ACOI management is not aware of any events that could jeopardize tax exempt status. Therefore, no liability or provision for income tax has been reflected in the financial statements.

Capital Works, LLC and Lexington Project, LLC are limited liability companies. Management is not aware of any uncertain tax positions for Capital Works, LLC and Lexington Project, LLC as of February 28, 2023 and February 28, 2022.

Reclassifications

Certain items in the prior year financial statements have been reclassified to conform to the current year presentation.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 2 — CONCENTRATION OF CREDIT RISK

Cash and Cash Equivalents

Financial instruments that potentially subject the Organization to concentration of credit risk consist principally of cash and cash equivalent accounts in financial institutions. Although the accounts exceed the federally insured deposit amount, management does not anticipate nonperformance by the financial institution.

Revenue and Receivables

The Organization provides social services primarily in Albany County of the State of New York. A substantial portion of the Organization's revenue is derived from and receivables are due from Federal and New York State governmental agencies.

NOTE 3 — LAND, BUILDINGS AND EQUIPMENT, NET

A summary of ACOI's land, buildings, equipment, net, is as follows:

	2023	2022
Land	\$ 146,363	\$ 146,363
Equipment and vehicles	535,823	562,402
Buildings and improvements	1,855,159	1,855,159
Subtotal	2,537,345	2,563,924
Less accumulated depreciation	1,226,899	1,141,020
Land, buildings and equipment, net	<u>\$ 1,310,446</u>	<u>\$ 1,422,904</u>

NOTE 4 — INVESTMENTS

Fair Value Measurements

ASC 820, *Fair Value Measurements*, establishes a framework for measuring fair value. ASC 820 establishes a three-level hierarchy for disclosure of fair value measurements. The valuation hierarchy is based upon the transparency of inputs to the valuation of an asset or liability as of the measurement date. A financial instrument's categorization within the valuation hierarchy is based upon the lowest level of input that is significant to the fair value measurement. The three levels are described as follows:

- Level 1 – Inputs to the valuation methodology are quoted prices (unadjusted) for identical assets or liabilities in active markets.
- Level 2 – Inputs to the valuation methodology include quoted prices for similar assets and liabilities in active markets and inputs that are observable for the asset or liability, either directly or indirectly, for substantially the full term of the financial instrument.
- Level 3 – Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 4 — INVESTMENTS (Continued)

Fair Value Measurements (Continued)

Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs. The following is a description of the valuation methodologies used:

The mutual fund investments are traded in public markets and are valued at their closing prices on the last day of the fiscal year. Investments in certificates of deposits are based on prices obtained from pricing services using primarily matrix pricing, which considers observable data that may include dealer quotes, market spreads, cash flows, the U.S. Treasury Yield Curve, credit information, and the bonds terms and conditions, among other inputs. There have been no changes in the methodologies used at February 28, 2023 and February 28, 2022.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Organization believes its valuation methodologies are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

Fair values of assets measured on a recurring basis are as follows:

February 28, 2023				
	Fair Value	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Mutual Funds	\$ 974,923	\$ 974,923	\$ -	\$ -
Total Investments	<u>\$ 974,923</u>	<u>\$ 974,923</u>	<u>\$ -</u>	<u>\$ -</u>
February 28, 2022				
	Fair Value	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Mutual Funds	\$ 1,094,137	\$ 1,094,137	\$ -	\$ -
Total Investments	<u>\$ 1,094,137</u>	<u>\$ 1,094,137</u>	<u>\$ -</u>	<u>\$ -</u>

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 4 — INVESTMENTS (Continued)

Fair Value Measurements (Continued)

The following schedule summarizes investment income for the years ended February 28, 2023 and February 28, 2022:

	<u>2023</u>	<u>2022</u>
Interest and dividends	\$ 36,980	\$ 63,739
Net realized and unrealized (losses) gains	<u>(156,008)</u>	<u>(23,251)</u>
Total	<u><u>\$ (119,028)</u></u>	<u><u>\$ 40,488</u></u>

NOTE 5 — CONTRACTS AND GRANTS RECEIVABLE

Contracts and grant receivables represent the amounts due from funding sources for expenditures incurred or services rendered in excess of payments received. The following details the grants and contracts receivable as of February 28, 2023 and February 28, 2022:

	<u>2023</u>	<u>2022</u>
Federal Grants	\$ 672,487	\$ 676,165
State and Local Grants	302,029	285,875
Non-Governmental Sources	<u>76,132</u>	<u>37,218</u>
Total	<u><u>\$ 1,050,648</u></u>	<u><u>\$ 999,258</u></u>

NOTE 6 — LINE OF CREDIT

The Organization has a revolving \$500,000 line of credit available with a local bank to meet the cash flow needs of the Organization. The line of credit provides for interest at the bank's prime rate (7.50% and 3.25% at February 28, 2023 and February 28, 2022, respectively). There was no outstanding balance on the line of credit as of February 28, 2023 and February 28, 2022.

NOTE 7 — ACCRUED VACATION TIME

The Organization provides paid vacation leave for eligible employees. Unused vacation leave is vested and paid to an employee upon separation from the Organization. As of February 28, 2023 and February 28, 2022, accrued vacation leave amounted to \$121,196 and \$109,655, respectively. Vacation leave is the only vested compensated absence benefit provided to current employees.

NOTE 8 — DEFERRED REVENUE

Deferred revenue amounted to \$486,694 and \$553,094 at February 28, 2023 and February 28, 2022, respectively. These amounts represent cash provided to the Organization in advance of when services are provided or conditions have been met in order to provide working capital for the operation of the various programs of the Organization.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 9 — NET ASSETS

Net assets without donor restrictions are comprised of the following:

	2023	2022
Undesignated	<u>\$ 5,276,233</u>	<u>\$ 5,127,115</u>
Invested in property and equipment	<u>1,310,446</u>	<u>1,422,904</u>
Board designated for program support		
Sheridan and Ontario property improvements	13,888	17,138
Assets for independence program	<u>1,399</u>	<u>1,399</u>
Total board designated	<u>15,287</u>	<u>18,537</u>
Net assets without donor restrictions	<u><u>\$ 6,601,966</u></u>	<u><u>\$ 6,568,556</u></u>

Net assets with donor restrictions are available for the following purposes or periods:

	2023	2022
Various program activities	<u>\$ 103,251</u>	<u>\$ 92,311</u>
Net assets with donor restrictions	<u><u>\$ 103,251</u></u>	<u><u>\$ 92,311</u></u>

NOTE 10 — RETIREMENT PLAN

The Organization maintains a tax deferred annuity plan (the Plan) covering substantially all employees. The Organization contributes 3% of each eligible employee's gross salary to the Plan. Employer contributions to the Plan amounted to approximately \$117,000 and \$123,000 for the years ended February 28, 2023 and February 28, 2022, respectively. It is the Organization's policy to fund the Plan currently.

NOTE 11 — POSTEMPLOYMENT HEALTH CARE BENEFITS

The Organization provides health insurance coverage to a retired employee. Postemployment health care benefits paid were \$8,777 and \$8,929 for the years ended February 28, 2023 and February 28, 2022, respectively. An estimated liability of approximately \$76,000 was reported as other postemployment benefit obligation in the consolidated statement of financial position at February 28, 2023 (approximately \$82,000 at February 28, 2022).

NOTE 12 — NOTE PAYABLE

The Organization had a 5-year mortgage loan with KeyBank bearing interest at the Key Cost of Funds rate plus 3.25% which required monthly payments of principal and interest in the amount of \$6,323 with a principal balloon payment of \$1,012,220 due in December 2019.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 12 — NOTE PAYABLE (Continued)

On February 28, 2020, the KeyBank agreement was amended and restated, with the maturity date for the outstanding \$1,012,220 principal balance extended to March 1, 2030. The amended loan bears interest at a fixed rate of 4.33% per annum for the first 61 months and will then adjust to a rate equal to 210 basis points per annum above the then current Key Cost of Funds rate. Commencing on April 1, 2020, the loan requires monthly payments of principal and interest in the amount of \$6,345 based on a 20-year amortization period, with a principal balloon payment of approximately \$618,000 due on March 1, 2030. The loan is subject to a prepayment penalty of 5% of the amount prepaid in year one of the loan, which incrementally decreases by 1% each loan year through year five, at which point the prepayment penalty is 1% of the amount prepaid through the maturity date.

A loan covenant for operating cash flow to fixed charges ratio of not less than 1.10 to 1.00 was met for the years ended February 28, 2023 and February 28, 2021/2022.

The future annual maturities at February 28, 2023 are as follows:

2024	\$ 36,920
2025	38,551
2026	40,254
2027	42,032
2028	43,888
Thereafter	<u>707,207</u>
	<u>\$ 908,852</u>

NOTE 13 — RIGHT OF USE ASSETS AND LEASE LIABILITIES

The Organization has entered into operating lease arrangements for program facilities in several buildings located throughout the Capital District. The Organization recognizes operating lease expenses on a straight-line basis. Lease expense for the years ended February 28, 2023, and 2022 was approximately \$349,000 and \$345,000, respectively, excluding contributed facilities.

For the year ended February 28, 2023, lease expense is as follows:

	<u>2023</u>
Operating lease expense	<u>\$ 349,486</u>
Total	<u>\$ 349,486</u>

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 13 — RIGHT OF USE ASSETS AND LEASE LIABILITIES (Continued)

For the year ended February 28, 2023, other information related to right of use assets and lease liabilities are as follows:

	<u>2023</u>
Cash paid for amounts included in the measurement of lease liabilities:	
Operating cash flows from operating leases	\$ 355,541
ROU assets obtained in exchange for new operating lease liabilities	\$ 710,105
Weighted-average remaining lease term (in years)	
Operating leases	1.79
Weighted-average discount rate	
Operating leases	3.06%

The following is a schedule by fiscal year of future minimum lease payments required under leases with remaining terms of more than one year.

<u>Year ending January 31,</u>	<u>Operating</u>
2024	\$ 252,799
2025	88,671
2026	<u>20,861</u>
Total minimum lease payments	362,331
Less: Amount representing interest	<u>(6,790)</u>
Present value of net minimum lease payments	<u><u>\$ 355,541</u></u>

NOTE 14 — CONTINGENCIES

Grants

Financial awards from Federal, state and local governmental entities in the form of grants are subject to audit. Such audits could result in claims against the Organization for disallowed costs or noncompliance with grantor restrictions. No provision has been made for any liability that may arise from such audits since the amounts, if any, cannot be determined at this date. Management believes that such disallowed costs, if any would not be material.

Legal

The Organization is a party to various legal proceedings or claims in the normal course of business. Management believes they are not material in relation to the Organization's results of operations, liquidity, cash flows or financial condition.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 14 — CONTINGENCIES (Continued)

Paycheck Protection Program Loan

The Paycheck Protection Program (PPP) established by the Coronavirus Aid, Relief, and Economic Security (CARES) Act was implemented by the U.S. Small Business Administration (SBA) with support from the U.S. Department of the Treasury from which the Organization applied for and received a PPP loan totaling \$1,288,797 during the year ended February 28, 2021. Upon satisfaction of loan provisions, the Organization applied for and, in July 2021 was granted forgiveness in the amount of \$483,484. The remaining balance of \$805,313 was paid in full in July 2021. During the year ended February 28, 2022 the Organization recorded Paycheck Protection Program loan forgiveness revenue of \$483,484, upon meeting all conditions of the loan provisions, which is reflected in the accompanying 2022 consolidated statement of activities.

According to the rules of the SBA, the Organization is required to retain PPP Loan documentation for six years after the date the loan is forgiven or repaid in full, and permit authorized representatives of the SBA, including representatives of its Office of Inspector General, to access such files upon request. Should the SBA conduct such a review and reject all or some of the Organization's judgments pertaining to satisfying PPP Loan eligibility or forgiveness conditions, the Organization may be required to adjust previously reported amounts and disclosures in the financial statements.

NOTE 15 — LIQUIDITY AND AVAILABILITY OF FINANCIAL ASSETS

ACOI's financial assets available within one year of the balance sheet date for general expenditures are as follows:

	February 28, 2023
Cash, unrestricted	\$ 5,437,006
Receivables to be collected within one year	1,050,648
Investments convertible to cash within one year	<u>974,923</u>
Total financial assets available within one year	<u>7,462,577</u>
Less: Net assets with donor restrictions	(103,251)
Less: Board designated net assets	<u>(15,287)</u>
Total financial assets available to meet general expenditures within one year	<u><u>\$ 7,344,039</u></u>

The Organization's cash flows have variations during the year attributable to reimbursement from Federal, State and local entities. To manage liquidity, the Organization structures its financial assets to be available as general expenses, liabilities and other obligations come due. In addition, the Organization has a revolving \$500,000 line of credit available to meet cash flow needs (Note 6).

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 16 — CONTRIBUTED NONFINANCIAL ASSETS

ACOI generally pays for services requiring specific expertise. However, many individuals volunteer their time and perform a variety of tasks that assist ACOI with specific assistance programs.

Donated services are recognized as contributions in accordance with U.S. generally accepted accounting principles if the services (a) create or enhance nonfinancial assets or (b) require specialized skills, are performed by people with those skills, and would otherwise be purchased by ACOI. The value is based on current market rates.

Donated supplies are valued based on current market rates.

ACOI also utilizes space owned by other unrelated organizations to provide services. The space is provided at no cost to the Organization, but the value is based on current market rates ACOI would have paid.

The Organization received the following contributions of nonfinancial assets for the year ended February 28, 2023:

	Program			Total
	Head Start	Unified Court System	Community and Career Services	
Donated Rent	\$ 123,995	\$ -	\$ -	\$ 123,995
Quality Stars NY Program	69,000	-	-	69,000
Albany UPK Program	189,402	-	-	189,402
Donated Microsoft Services	25,714	-	-	25,714
Donated Clothing	-	-	82,805	82,805
Donated Cosmetics	-	-	22,512	22,512
Donated Books/Supplies	250	6,667	-	6,917
Donated Services	265,714	7,536	6,888	280,138
	<u>\$ 674,075</u>	<u>\$ 14,203</u>	<u>\$ 112,205</u>	<u>\$ 800,483</u>

The Organization received the following contributions of nonfinancial assets for the year ended February 28, 2022:

	Program		Total
	Head Start	Community and Career Services	
Donated Rent	\$ 140,477	\$ -	\$ 140,477
Albany UPK Program	148,958	-	148,958
Donated Microsoft Services	23,143	-	23,143
Donated Clothing	-	17,640	17,640
Donated Cosmetics	-	5,827	5,827
Donated Books/Supplies	19,995	-	19,995
Donated Services	112,663	23,471	136,134
	<u>\$ 445,236</u>	<u>\$ 46,938</u>	<u>\$ 492,174</u>

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
February 28, 2023 and February 28, 2022

NOTE 17 — FUNCTIONAL EXPENSES

The financial statements report certain categories of expenses that are attributed to more than one program or supporting function. Therefore, expenses require allocation on a reasonable basis that is consistently applied. Direct allocation is the preferred method when it is reasonably efficient and management assigns each expense to a functional category based on direct usage. Salaries and fringe benefits are allocated on the basis of estimates of time and effort. Occupancy costs are allocated based on square footage.

SUPPLEMENTARY INFORMATION

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATING STATEMENT OF FINANCIAL POSITION
February 28, 2023

	<u>ACOI</u>	<u>Subsidiaries</u>	<u>Eliminations</u>	<u>Total</u>
ASSETS				
CURRENT ASSETS				
Cash and cash equivalents	\$ 5,437,006	\$ -	\$ -	\$ 5,437,006
Contracts and grants receivable	1,050,648	-	-	1,050,648
Inventory	66,725	-	-	66,725
Prepaid expenses	17,721	-	-	17,721
Total current assets	6,572,100	-	-	6,572,100
INVESTMENTS, at fair value	974,923	-	-	974,923
PROPERTY AND EQUIPMENT, net	1,254,495	55,951	-	1,310,446
OPERATING LEASE RIGHT OF USE ASSETS	382,897	-	-	382,897
OTHER ASSETS				
Security deposits	20,872	-	-	20,872
Due from related party	125,588	-	(125,588)	-
Total other assets	146,460	-	(125,588)	20,872
Total assets	<u>\$ 9,330,875</u>	<u>\$ 55,951</u>	<u>\$ (125,588)</u>	<u>\$ 9,261,238</u>
LIABILITIES AND NET ASSETS				
CURRENT LIABILITIES				
Accounts payable	\$ 99,531	\$ -	\$ -	\$ 99,531
Accrued payroll and vacation	561,662	-	-	561,662
Accrued expenses	67,820	-	-	67,820
Deferred revenue	486,694	-	-	486,694
Other post employment benefit obligation, current portion	8,749	-	-	8,749
Operating lease liabilities, current portion	247,247	-	-	247,247
Note payable, current portion	36,920	-	-	36,920
Due to ACOI	-	125,588	(125,588)	-
Total current liabilities	1,508,623	125,588	(125,588)	1,508,623
Other post employment benefit obligation, net of current portion	67,172	-	-	67,172
Operating lease liabilities, net of current portion	108,294	-	-	108,294
Note payable, net of current portion	871,932	-	-	871,932
Total long-term liabilities	1,047,398	-	-	1,047,398
Total liabilities	2,556,021	125,588	(125,588)	2,556,021
NET ASSETS				
Without donor restriction				
Undesignated	5,401,821	(125,588)	-	5,276,233
Invested in property and equipment	1,254,495	55,951	-	1,310,446
Board designated for program support	15,287	-	-	15,287
With donor restriction	103,251	-	-	103,251
Total net assets	6,774,854	(69,637)	-	6,705,217
Total liabilities and net assets	<u>\$ 9,330,875</u>	<u>\$ 55,951</u>	<u>\$ (125,588)</u>	<u>\$ 9,261,238</u>

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
CONSOLIDATING STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED February 28, 2023

	<u>ACOI</u>	<u>Subsidiaries</u>	<u>Eliminations</u>	<u>Total</u>
Revenues, Gains and Other Support Without Donor Restrictions				
Program service revenue	\$ 8,705,073	\$ -	\$ -	\$ 8,705,073
Contributions	60,455	-	-	60,455
Contributed nonfinancial assets	800,483	-	-	800,483
Investment income	(119,028)	-	-	(119,028)
Other revenue	269,803	-	-	269,803
Net assets released from restrictions:				
Satisfaction of program restrictions	350	-	-	350
	<u>9,717,136</u>	<u>-</u>	<u>-</u>	<u>9,717,136</u>
Total revenues, gains and other support without donor restrictions				
	<u>9,717,136</u>	<u>-</u>	<u>-</u>	<u>9,717,136</u>
Expenses				
Program services	8,480,393	-	-	8,480,393
Management and general	1,202,612	-	-	1,202,612
Depreciation	-	-	-	-
Other	-	721	-	721
	<u>9,683,005</u>	<u>721</u>	<u>-</u>	<u>9,683,726</u>
Total expenses				
	<u>9,683,005</u>	<u>721</u>	<u>-</u>	<u>9,683,726</u>
Change in Net Assets Without Donor Restrictions	<u>34,131</u>	<u>(721)</u>	<u>-</u>	<u>33,410</u>
Change in Net Assets With Donor Restrictions				
Contributions	11,290	-	-	11,290
Net assets released from restrictions	(350)	-	-	(350)
	<u>10,940</u>	<u>-</u>	<u>-</u>	<u>10,940</u>
Change in Net Assets With Donor Restrictions				
	<u>10,940</u>	<u>-</u>	<u>-</u>	<u>10,940</u>
Change in Net Assets	<u>45,071</u>	<u>(721)</u>	<u>-</u>	<u>44,350</u>
Net Assets (Deficit) at Beginning of Year	<u>6,729,783</u>	<u>(68,916)</u>	<u>-</u>	<u>6,660,867</u>
Net Assets (Deficit) at End of Year	<u>\$ 6,774,854</u>	<u>\$ (69,637)</u>	<u>\$ -</u>	<u>\$ 6,705,217</u>

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
RECONCILIATION OF GRANT EXPENSES TO CONSOLIDATED STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED February 28, 2023
(WITH COMPARATIVE TOTALS FOR 2022)

	Program Services								Management and General (Indirect Costs)	Subsidiaries	Total	
	Early Childhood Education		Community and Career Services			Weatherization Programs						
	Head Start	Other Programs / Sources	Community Services Block Grant	Dress for Success (CSBG)	Other Programs / Sources	Weatherization Assistance	Other Programs / Sources	Total Program Services				
											2023	2022
Payroll and Related Benefits												
Salaries	\$ 2,640,264	\$ 1,058,851	\$ 383,184	\$ -	\$ 25,297	\$ 374,185	\$ 2,201	\$ 4,483,982	\$ 691,102	\$ -	\$ 5,175,084	\$ 5,219,921
Fringe benefits	626,655	241,516	95,604	-	6,602	91,056	682	1,062,115	178,707	-	1,240,822	1,266,223
Total payroll and related benefits	3,266,919	1,300,367	478,788	-	31,899	465,241	2,883	5,546,097	869,809	-	6,415,906	6,486,144
Occupancy	588,192	94,515	75,507	125	1,096	45,308	125	804,868	43,970	-	848,838	839,377
Travel	8,607	2	-	-	1,827	36,213	-	46,649	930	-	47,579	35,238
Materials and supplies	194,102	234,021	6,751	-	-	95,376	10,121	540,371	11,597	-	551,968	482,177
In-kind expenses	674,076	14,203	-	-	112,204	-	-	800,483	-	-	800,483	492,174
Contractual and other support services	277,918	48,538	214,727	(198)	601	123,131	17,860	682,577	241,801	721	925,099	1,129,606
Funded depreciation	47,479	11,869	-	-	-	-	-	59,348	-	-	59,348	59,348
Total other expenses	1,790,374	403,148	296,985	(73)	115,728	300,028	28,106	2,934,296	298,298	721	3,233,315	3,037,920
Total expenses before allocation of indirect costs and depreciation	5,057,293	1,703,515	775,773	(73)	147,627	765,269	30,989	8,480,393	1,168,107	721	9,649,221	9,524,064
Allocation of indirect costs	527,554	204,736	92,616	(25)	3,915	57,508	216	886,520	(886,520)	-	-	-
Total expenses before depreciation	5,584,847	1,908,251	868,389	(98)	151,542	822,777	31,205	9,366,913	281,587	721	9,649,221	9,524,064
Adjust/deduct purchases capitalized as property and equipment	-	-	-	-	-	-	-	-	-	-	-	(24,321)
Depreciation	-	-	-	-	-	-	-	-	34,505	-	34,505	43,905
Total expenses	\$ 5,584,847	\$ 1,908,251	\$ 868,389	\$ (98)	\$ 151,542	\$ 822,777	\$ 31,205	\$ 9,366,913	\$ 316,092	\$ 721	\$ 9,683,726	\$ 9,543,648

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
February 28, 2023

Program	Federal Assistance Listings Number	Grant/Contract Number	Federal Expenditures	Expenditures to Subrecipients
<u>U.S. DEPARTMENT OF AGRICULTURE</u>				
Pass-through from State Department of Health:				
Child and Adult Care Food Program	10.558	C-2085-22	\$ 146,439	\$ -
Child and Adult Care Food Program	10.558	C-2085-23	100,070	-
Commodity Supplemental Food Program	10.565	138FP	5,763	-
Total - Department of Agriculture			252,272	-
<u>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</u>				
Direct Award:				
Head Start	93.600	02-CH010835	4,538,536	-
American Rescue Plan Act (ARP) Head Start	93.600	02-HE000062	372,235	-
Community Services Block Grant - Family Reinvestment Initiative	93.569	90ET048701	183,030	-
			5,093,801	-
Pass-through New York State Division of Housing and Community Renewal:				
Low-Income Home Energy Assistance	93.568	C093000-21	27,598	-
Low-Income Home Energy Assistance	93.568	C093000-22	426,425	-
Low-Income Home Energy Assistance American Rescue Plan Act	93.568	C094400	26,246	-
			480,269	-
Pass-through New York State Department of State:				
Community Services Block Grant	93.569	C1001450-22	91,048	-
Community Services Block Grant	93.569	C1001450-23	43,288	-
Community Services Block Grant	93.569	C1001450-22	55,134	-
Community Services Block Grant	93.569	C1001450-23	38,876	-
COVID-19 Community Services Block Grant	93.569	T1001783	114,414	-
Community Services Block Grant	93.569	C1001964	292,079	-
Community Services Block Grant	93.569	T1002244	30,000	-
			664,839	-
Pass-through Research Foundation, Inc. for SUNY on behalf of Binghamton University:				
Community Services Block Grant - NYS CARES for Communities	93.569	C013716	20,422	-
Pass-through New York State Office of Children and Family Services:				
Community-Based Child Abuse Prevention Grant	93.590	C028526	52,376	-
Community-Based Child Abuse Prevention Grant	93.590	C028526	68,810	-
			121,186	-
Total - Department of Health and Human Services			6,380,517	-
<u>U.S. DEPARTMENT OF ENERGY</u>				
Pass-through New York State Division of Housing and Community Renewal:				
Weatherization Assistance for Low-Income Persons	81.042	C093000-21	20,819	-
Weatherization Assistance for Low-Income Persons	81.042	C093000-22	321,689	-
Total - Department of Energy			342,508	-
<u>U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)</u>				
Pass-through Office of Temporary and Disability Assistance (OTDA):				
COVID-19 Emergency Solutions Grant Program	14.231	N/A	23,980	-
Pass-through City of Albany Department of Community Development:				
Community Development Block Grants	14.218	N/A	14,356	-
Total - Department of Housing and Urban Development			38,336	-
Total Federal Assistance			\$ 7,013,633	\$ -

The accompanying notes to the schedule of expenditures of federal awards should be read in conjunction with this schedule.

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
February 28, 2023

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accompanying Schedule of Expenditures of Federal Awards (the Schedule) was prepared on the accrual basis of accounting. Grant awards are recorded as revenue when the criteria for earning the revenue is met, generally when the expenditure of grant funds is made. Grant expenditures are recorded when the liability is incurred. The information in this schedule is presented in accordance with the requirements of the Code of Federal Regulations Title 2, *Grants and Agreements*, Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, Subpart F, *Audit Requirements*, Section 200.502, *Basis for Determining Federal Awards Expended*.

Administrative costs are included in the reported expenditures to the extent such costs are included in the federal financial reports used as the source for the data presented. ACOI has not elected to utilize the 10% de minimis indirect cost rate in Part 200.514 of the Uniform Guidance.

NOTE 2 — SUBRECIPIENTS

No federal awards were passed through to subrecipients during the year ended February 28, 2023.

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Directors
Albany County Opportunity, Inc. and Subsidiaries

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the consolidated financial statements of Albany County Opportunity, Inc. and Subsidiaries (a nonprofit organization), which comprise the consolidated statement of financial position as of February 28, 2023, and the related consolidated statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the consolidated financial statements and have issued our report thereon dated July 14, 2023.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the consolidated financial statements, we considered the Albany County Opportunity, Inc. and Subsidiaries' internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the consolidated financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Albany County Opportunity, Inc. and Subsidiaries' internal control. Accordingly, we do not express an opinion on the effectiveness of the Albany County Opportunity, Inc. and Subsidiaries' internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Albany County Opportunity, Inc. and Subsidiaries' consolidated financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of consolidated financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

UHY LLP

Albany, New York
July 14, 2023

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR
FEDERAL PROGRAM AND REPORT ON INTERNAL CONTROL OVER
COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

Board of Directors
Albany County Opportunity, Inc. and Subsidiaries

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Albany County Opportunity, Inc. and Subsidiaries' (Organization) compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on the Organization's major federal programs for the year ended February 28, 2023. The Organization's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, Albany County Opportunity, Inc. and Subsidiaries complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material impact on its major federal programs for the year ended February 28, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the Organization and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the Organization's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the Organization's federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the Organization's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, Government Auditing Standards, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the Organization's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, Government Auditing Standards, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the Organization's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Organization's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

UHY LLP

Albany, New York
July 14, 2023

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
Year Ended February 28, 2023

Section I—Summary of Auditor's Results

<i>Financial Statements</i>			
Type of auditor's report issued: Unmodified			
Internal control over financial reporting:			
• Material weakness(es) identified?	_____ yes	___X___ no	
• Significant deficiency(ies) identified?	_____ yes	___X___ none reported	
Noncompliance material to financial statements noted?	_____ yes	___X___ no	
<i>Federal Awards</i>			
Internal control over major programs:			
• Material weakness(es) identified?	_____ yes	___X___ no	
• Significant deficiency(ies) identified?	_____ yes	___X___ none reported	
Type of auditor's report issued on compliance for major programs: Unmodified			
Any audit findings disclosed that are required to be reported in accordance with 2 CFR Section 200.516(a)?	_____ yes	___X___ no	
Identification of major programs:			
Federal Assistance Listing Number(s)		Name of Federal Program or Cluster	
81.042		Weatherization Assistance for Low-Income Persons	
93.568		Low-Income Home Energy Assistance	
93.569		Community Services Block Grant	
Dollar threshold used to distinguish between type A and type B programs:		\$750,000	
Auditee qualified as low-risk auditee?		___X___ yes	

ALBANY COUNTY OPPORTUNITY, INC. AND SUBSIDIARIES
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (Continued)
Year Ended February 28, 2023

Section II—Financial Statement Findings

No matters were reported.

Section III—Federal Award Findings and Questioned Costs

No findings noted.

Section IV—Summary Schedule of Prior Audit Findings

No matters were reported.

SCHEDULE H, line 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)

SCHEDULE H, line 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)

ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PL

EIN 14 6037204
 PLAN NUMBER 001
 PLAN YEAR 01/01/2022 TO 12/31/2022

(A)	(B) Identity of issuer, borrower, lessor or similar party.	(C) Description of investment including maturity date, rate of interest, collateral, par or maturity value.	(D) Cost	(E) Current Value
	The American Funds	Registered Investment Company Am Fds EuroPacific Grth R3 Fd	\$ 0.00	\$ 392.06
	American Funds Service Company	Registered Investment Company American Funds AMCAP R3 Fund	\$ 0.00	\$ 39,770.01
	American Funds Service Company	Registered Investment Company AMER FUNDS NEW WORLD R3 FUND	\$ 0.00	\$ 37,254.40
	Franklin Templeton Investments	Registered Investment Company Franklin Small Cap Value R Fd	\$ 0.00	\$ 748.66
	MFS Investment Management	Registered Investment Company MFS Mass Invest Trust R2 Fd	\$ 0.00	\$ 17,861.41
*	Principal Life Insurance Company	Insurance Company General Prin Fixed Inc Guar Option	\$ 0.00	\$ 1,397.38
*	Principal Funds Inc	Registered Investment Company Prin LgCap S&P 500 Idx R3 Fund	\$ 0.00	\$ 61,884.43
*	Principal Funds Inc	Registered Investment Company Prin LifeTime Str Inc R3 Fund	\$ 0.00	\$ 7,793.79
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2010 R3 Fund	\$ 0.00	\$ 58,602.73
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2015 R3 Fund	\$ 0.00	\$ 9,124.06
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2020 R3 Fund	\$ 0.00	\$ 49,392.24
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2025 R3 Fund	\$ 0.00	\$ 115,997.23
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2030 R3 Fund	\$ 0.00	\$ 582,945.41
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2035 R3 Fund	\$ 0.00	\$ 591,843.52
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2040 R3 Fund	\$ 0.00	\$ 257,378.16

SCHEDULE H, line 4i - SCHEDULE OF ASSETS (HELD AT END OF YEAR)

ALBANY COMMUNITY ACTION PARTNERSHIP 403(B) PL

 EIN 14 6037204
 PLAN NUMBER 001
 PLAN YEAR 01/01/2022 TO 12/31/2022

(A)	(B) Identity of issuer, borrower, lessor or similar party.	(C) Description of investment including maturity date, rate of interest, collateral, par or maturity value.	(D) Cost	(E) Current Value
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2045 R3 Fund	\$ 0.00	\$ 297,557.61
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2050 R3 Fund	\$ 0.00	\$ 189,753.81
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2055 R3 Fund	\$ 0.00	\$ 138,707.61
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2060 R3 Fund	\$ 0.00	\$ 60,418.35
*	Principal Funds Inc	Registered Investment Company Prin LifeTime 2065 R3 Fund	\$ 0.00	\$ 1,445.47
*	Principal Funds Inc	Registered Investment Company Prin MidCap Value I R3 Fund	\$ 0.00	\$ 539.96
*	Principal Funds Inc	Registered Investment Company Prin Real Estate Secs R3 Fund	\$ 0.00	\$ 227.90
*	Principal Funds Inc	Registered Investment Company Prin SmCap S&P 600 Idx R3 Fund	\$ 0.00	\$ 201,947.32
	PIMCO Funds	Registered Investment Company PIMCO Income R Fund	\$ 0.00	\$ 435.60
	T. Rowe Price Funds	Registered Investment Company T. R Price Intl Val Eq R Fd	\$ 0.00	\$ 3,131.34
*	Participant Loans	Range of Interest Rates Rates Range From 4.25% To 6.50%	\$ 0.00	\$ 75,177.00