

# Rainforest Trust Gift Acceptance Policy

*Approved by Rainforest Trust Board of Directors September 2019*

Mission: Rainforest Trust purchases and protects threatened tropical forests and endangered wildlife by partnering with local and community organizations.

Legal and Tax Status of Rainforest Trust: The Internal Revenue Service has determined that Rainforest Trust qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization, governed by the laws of the State of New York.

This Gift Acceptance Policy describes Rainforest Trust's policies and review process relating to proposed gifts that are offered to Rainforest Trust. This Policy serves to guide Rainforest Trust staff in the solicitation of gifts and to inform donors about how Rainforest Trust reviews and accepts gifts.

Rainforest Trust solicits and accepts gifts for purposes that will help the organization further and fulfill its mission. Rainforest Trust urges all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences. The following policies and guidelines govern acceptance of gifts made to Rainforest Trust for the benefit of any of its operations, programs or services.

## Review Process

The Rainforest Trust Development Committee of the Board shall perform the initial review of any gifts subject to prior review with the support of staff. The review shall consider the nature of the gift and any existing or potential conflicts of interest. Upon conclusion of a review, the Committee can decide to accept or refuse a gift, or submit to the full Board of Directors for consideration.

## Gifts Generally Accepted Without Review

- Cash. Cash gifts are acceptable in any form, including by check, money order, credit card, wire transfer, or on-line.
- Marketable Securities. Marketable securities may be transferred electronically to the Rainforest Trust brokerage account or delivered physically with the transferor's endorsement attached. All marketable securities will be sold as promptly as possible upon receipt.

Gifts Accepted Subject to Prior Review—Certain forms of gifts or donated properties may be subject to review prior to acceptance. Examples of gifts subject to prior review include, but are not limited to:

- Charitable Remainder Trusts. Rainforest Trust will accept designation as a remainder beneficiary of charitable remainder trusts.
- Charitable Lead Trusts. Rainforest Trust will accept designation as an income beneficiary of charitable lead trusts.
- Bequests and Beneficiary Designations under Revocable Trusts, Commercial Annuities and Retirement Plans. Donors are encouraged to make bequests to Rainforest Trust under their

wills, and to name Rainforest Trust as the beneficiary under trusts, commercial annuities and retirement plans.

- **Tangible Personal Property.** Rainforest Trust will review and determine whether to accept any gifts of tangible personal property, including works of art or vehicles in light of the following considerations: does the property further the organization's mission? Is the property marketable? Are there any unacceptable restrictions imposed on the property? Are there any carrying costs for the property for which the organization may be responsible? Is the title/provenance of the property clear? As a general rule, Rainforest Trust will sell accepted gifts of tangible personal property that meet the considerations in order to realize the cash value of the gifts.
- **Life Insurance.** Rainforest Trust will accept gifts of life insurance where Rainforest Trust is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.
- **Non-publicly Traded Securities.** Rainforest Trust will review and consider whether to accept any non-publicly traded securities.
- **Real Estate.** Rainforest Trust will review and consider all gifts of real estate uniquely. Prior to consideration of any gift of real estate, Rainforest Trust shall require an initial environmental review by a qualified environmental firm. In the event that the review reveals a potential problem, the organization may retain a qualified environmental firm to conduct an environmental audit. Criteria for acceptance of gifts of real estate include: Is the property useful for the organization's purposes? Is the property readily marketable? Are there covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property? Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property? Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation? As a general rule, Rainforest Trust will sell accepted gifts of real estate that meet the considerations in order to realize the cash value of the gifts.
- **Assignments of Mortgages/Rents or Intellectual Property Rights.** Rainforest Trust will review the benefit potential of such gifts.
- **Donor Specified Restrictions or Conditions.** Any gift of \$500,000 or more for which the donor requests or proposes unique or special restrictions.

Use of Legal Counsel—Rainforest Trust will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate.

Restrictions on Gifts—Rainforest Trust will not accept gifts that (a) would result in any violation of its corporate charter, (b) would result in the loss of its status as an IRS 501(c)(3) not-for-profit organization, (c) are too difficult or too expensive to administer in relation to their value, (d) would result in any unacceptable consequences for Rainforest Trust, or (e) are for purposes outside the mission.