



AUDIT AT A GLANCE

Management Practices of the Queens County Public Administrator

What questions did the audit look at?

- ▶ Did the Queens County Public Administrator's Office (QCPA) adequately identify, account for, and safeguard decedents' assets?

Why does it matter for New Yorkers?

Every borough has a Public Administrator who is responsible for administering the estates of people who die intestate. In certain cases, when a person without a will dies, or if no heir is willing or able to administer the estate, the Public Administrator steps in. These officials have a fiduciary responsibility to estates that require them to conduct thorough investigations to identify, account for, and safeguard all assets (real and personal property), pay outstanding debts and taxes, maintain documentation to support estate activities, and distribute estate proceeds to heirs. QCPA serves this role in Queens.

The audit found that QCPA generally followed New York State regulations as well as its own internal procedures. However, QCPA did not consistently identify and collect all estate assets, securely store or appraise decedents' property, or maintain adequate records or reports. The audit also identified cases that remained open and unresolved for years, long after notifications were received.

These deficiencies put the assets of decedents at risk of loss, depreciation, and theft. As of June 2023, these gross assets totaled over \$165 million. This is a sizable sum, and QCPA has a fiduciary duty to carefully manage the estates of decedents with care and attention.

What changes did the agency commit to make following the audit?

- ▶ QCPA agreed to improve elements of its internal procedures regarding searches for assets by requiring investigators to take additional photographs and carefully document decedents' residences.
- ▶ QCPA agreed to ensure that searches for assets at financial institutions were completed in a timely manner.
- ▶ QCPA agreed to review decedents' bank statements to ensure there are no "recurring card purchases" (i.e., subscription withdrawals) after dates of death.
- ▶ QCPA agreed to liquidate a stock valued at \$72,584 and credit the decedent's estate account. In addition, QCPA agreed to update inventory lists in a timely manner to reflect the current status of stocks and bonds for which there are living beneficiaries.

AUDIT FINDINGS



QCPA generally followed NYS law and its own internal policies.



QCPA did not always identify or collect estate assets as required.



QCPA did not always store assets securely.



QCPA did not always maintain adequate records of estate assets.



Some QCPA cases remained unresolved years after they were opened.



Audit Recommendations		Agency Response
1	Ensure that investigators consistently document their searches on the Residence Investigation Reports; take photographs of all personal property items inventoried on the reports; bring all electronic devices discovered during searches to the office for safeguarding potential confidential information; and consider reinstating a prior inventory checklist to aid the investigators during residence searches.	PARTIALLY AGREED ¹
2	Establish target timeframes for required initial searches of decedents' premises after notification of their deaths and the appraisal of personal property to ensure that estates are closed in a timely manner.	DISAGREED
3	Adequately secure personal property stored in the office and consider other options for safeguarding.	DISAGREED
4	Ensure complete and accurate inventory records by periodically comparing inventory information contained on the personal property security bags, inventory lists, and appraisal records.	DISAGREED
5	Consider appraising coins that seem unique and valuable.	DISAGREED
6	Ensure it contacts financial institutions to obtain account balances of identified assets and collect account funds in a timely manner.	AGREED
7	Require staff to use the Office of the State Comptroller (OSC) website to search for unclaimed funds as an added measure of identifying possible assets for decedents; maintain search documentation in the estate files that shows the names of decedents searched for; and pursue collection of all claims in a timely manner.	PARTIALLY AGREED ²
8	Investigate nine unclaimed accounts identified by the auditors and pursue collections where possible. For the estate identified as lacking the proof required by the OSC, consider using the notarized Report of Death found in the estate file.	PARTIALLY AGREED ³
9	Thoroughly review decedents' bank statements to ensure there are no "recurring card purchases" (i.e., subscription withdrawals) after dates of death.	AGREED
10	Ensure that the stock with the estimated value of \$72,584 is liquidated so that the estate account can be credited. Inventory lists should be updated in a timely manner to reflect the current status of stocks and bonds for which there are living beneficiaries.	AGREED
11	Ensure that all documents are maintained within the estate file to support various stages of its estate administration process. For properties not sold for an extended period, there should be documentation in the files explaining sale delays.	DISAGREED
12	Work to minimize delays in determining whether estates should be administered by QCPA or closed and update their statuses accordingly with reasons for delays clearly documented in the estate files; and more accurately report information concerning its closed estates to the City Comptroller's Office.	DISAGREED

¹ QCPA partially agreed with this recommendation, stating that the investigators will be instructed to take additional photographs and carefully document the information in the Residence Investigation Reports.

² QCPA partially agreed with this recommendation, stating that they have adopted the recommendation to check unclaimed funds using both the OSC public website as well as the OSC online claiming account.

³ QCPA partially agreed with this recommendation, stating that they have investigated the nine accounts associated with four estates and determined that: (1) for two estates (associated with three accounts), the QCPA was not responsible for administering the estates because someone else received "Letters from the Court;" (2) for one estate (associated with two accounts), QCPA agreed to pursue collection for those accounts that the auditors found by using the OSC public website; and (3) for one estate (associated with four accounts), the deposits were made after the case was closed.