

# REGISTERED AGENT—FREQUENTLY ASKED QUESTIONS

## Why does our PTA need a registered agent?

There are three agencies that require a PTA or other nonprofit corporation to designate a registered agent:

- First, the Corporations Division of the Secretary of State's Office maintains your PTA's corporate records, and they must be updated each year. Failure to update the corporate records could result in the dissolution of the PTA's corporate existence.
- Second, a PTA that anticipates receiving income during the fiscal year (July 1<sup>st</sup> – June 30<sup>th</sup>) of \$25,000 or more must register with the Charities Division of the Secretary of State's Office, and the registration must be renewed annually.
- Third, the IRS requires a name and address to contact in case there are issues regarding the PTA's tax exempt status.

You may choose to have an individual named as your registered agent for any or all of these agencies. However by choosing Washington State PTA your PTA doesn't have to worry about that person moving, taking a long vacation, or otherwise being unavailable to respond to a notice from one of the agencies.

## How do I know whether Washington State PTA serves as our registered agent?

This information should be available in every PTA's Legal Documents notebook. In addition, the Legal Information section of the PTA Information Sheet that was included in the Leadership Packet indicates whether WSPTA serves as registered agent for your PTA for Corporations or IRS purposes, according to our database. If you have questions or want further information, contact the WSPTA Office at 1-800-562-3804 or email [irs\\_support@wastatepta.org](mailto:irs_support@wastatepta.org).

## What does it mean that Washington State PTA serves as our PTA's "registered agent?"

All nonprofit corporations have to interact with government agencies, most commonly the Washington State Secretary of State's Office and the Federal Internal Revenue Service (IRS). By designating Washington State PTA as your agent, your PTA gives those agencies one single point of contact when they need to get information to or from your PTA.

## If Washington State PTA is our PTA's registered agent, does this mean that Washington State PTA will handle all paperwork with these agencies for our PTA?

No. The officers and board members continue to be responsible for assuring that the PTA complies with all applicable regulations. By becoming your PTA's registered agent, Washington State PTA assumes responsibility for making sure that any information addressed to you from one of these agencies is provided to your PTA's current officers.

## What kinds of information do the agencies send to Washington State PTA as our agent?

Generally speaking, communications from the government agencies falls into one of four categories: (1) general information notices, (2) routine reminders, (3) acknowledgements, and (4) specific notification of non-compliance.

## What are some examples of each category of notice that might be sent to Washington State PTA as our agent?

An example of **general information** might be a notice that the agency has changed the process for renewing a registration. An example of a **routine reminder** is the postcard that the Charities Division sends to PTAs registered with the Division reminding them to file the required annual renewal in time to be received by the due date of May 31<sup>st</sup>.

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An example of an **acknowledgement** would be the letter that the Charities Division sends acknowledging that a PTA has renewed its charitable solicitations registration.

An example of a **notice of non-compliance** would be a notice sent by the IRS that the PTA has failed to file its Form 990, 990EZ or 990N report by the date it was due.

## **How does WSPTA notify our PTA when a government agency has sent a notice or other information?**

It depends on the nature of the information:

- For **general information, routine reminders or acknowledgement**, WSPTA will email a copy of the document to the President and Treasurer at their respective email addresses in our database at the time that WSPTA receives the notice or other information from the government agency. If our database indicates that two or more people are serving in either of those officer positions, we will send the notice to the person listed first alphabetically in each position. Upon request, we can email this kind of notice to someone other than the President or Treasurer, or email additional copies to any addition person(s) your PTA designates. But we always want to have at least two persons that we can forward the information to in case one of the emails doesn't go through, someone is on vacation or unavailable, or the matter is overlooked.
- When we receive a **notice of non-compliance** we will send a paper copy to both the President and the Treasurer, and an electronic copy to all officers of your PTA listed in the WSPTA database. In addition, we will send a copy to the appropriate region director, who will likely contact the PTA's leadership to make sure that the matter is being addressed appropriately.

In addition, when a PTA receives a donation from a foundation or group giving organization such as the United Way, information about donations or a check is sometimes sent to us as the PTA's registered agent. In those cases we mail the information and/or check to the PTA's Treasurer.

## **What happens if our local unit for some reason is not in good standing when WSPTA receives a notice addressed to it?**

We will forward the notice as above to the person(s) reflected in WSPTA's database; however see below for what can happen if the PTA fails to return to good standing.

## **What happens if a local unit is administratively dissolved by the Corporation Division or is no longer active with WSPTA?**

When we receive a notice that a PTA has been administratively dissolved, we send the notice by email to all officers in our database, and send the original to the Treasurer and a copy to the President, and to the appropriate Region Director. We include with the notice the form that the PTA can fill out and file to reinstate their corporation.

When a PTA is dissolved or in an inactive status for two years, we notify the respective agencies that WSPTA is no longer the registered agent for the PTA, and provide the names and addresses of the last known officers as contacts for any further inquiries.

## **What does it cost our PTA to have the Washington State PTA serve as our registered agent?**

There is no additional charge to your PTA for this service; it is one of the benefits that your PTA receives from your membership service fees.

**We have not previously selected Washington State PTA as our registered agent, but would like to do so now. How do we go about it?**

Please contact the Washington State PTA Office at 1-800-562-3804 or by email to [irs\\_support@wastatepta.org](mailto:irs_support@wastatepta.org).