

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
FINANCIAL REPORT  
NOVEMBER 30, 2009**

**RECEIVED**  
WORKERS' COMPENSATION  
MAR 31 2010  
SELF INSURANCE OFFICE

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION**

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**Marvin and  
company, p.c.**

CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS

## INDEPENDENT AUDITORS' REPORT

Board of Trustees

Community Residence Insurance Savings Plan  
Self-Insurance Trust for Workers' Compensation

Kevin J. McCoy

Thomas W. Donovan

Frank S. Venezia

James E. Amell

Carol A. Hausamann

Benjamin R. Lasher

Daniel J. Litz

We have audited the accompanying balance sheets of the Community Residence Insurance Savings Plan Self-Insurance Trust for Workers' Compensation (the "Trust") as of November 30, 2009 and 2008, and the related statements of operations, changes in members' equity (deficiency), and cash flows for the years then ended. These financial statements are the responsibility of the Trust's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with U.S. generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Trust's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Community Residence Insurance Savings Plan Self-Insurance Trust for Workers' Compensation as of November 30, 2009 and 2008, and the results of its operations and its cash flows for the years then ended in conformity with U.S. generally accepted accounting principles.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The schedules of expenses on page 14 are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

*Marvin and Company, P.C.*

March 29, 2010

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**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
 SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
 BALANCE SHEETS  
 NOVEMBER 30, 2009 AND 2008**

**ASSETS**

	<u>2009</u>	<u>2008</u>
<b>Current Assets</b>		
Cash and cash equivalents	\$ 1,797,031	\$ 2,882,829
Investments	7,940,362	7,168,123
Accrued interest receivable	37,133	33,416
Contributions receivable	1,502,580	1,050,351
Expected recoveries	831,114	698,825
Prepaid expenses	25,498	83,442
Deferred tax asset	1,197,000	675,000
	<hr/>	<hr/>
<b>TOTAL ASSETS</b>	<b>\$ 13,330,718</b>	<b>\$ 12,591,986</b>

**LIABILITIES AND MEMBERS' EQUITY (DEFICIENCY)**

<b>Current Liabilities</b>		
Liability for unpaid claims - reserves	\$ 5,721,366	\$ 6,089,591
Liability for incurred but not reported claims	9,506,188	7,918,156
Reserves - expected recoveries	(801,440)	(778,422)
Accounts payable and accrued expenses	52,576	58,618
Liability for Workers' Compensation Board assessment	1,010,264	1,130,376
Total Current Liabilities	<hr/> 15,488,954	<hr/> 14,418,319
<b>Members' Equity (Deficiency)</b>		
Unreserved	(2,486,831)	(1,383,112)
Accumulated other comprehensive income (loss)	328,595	(443,221)
Total Members' Equity (Deficiency)	<hr/> (2,158,236)	<hr/> (1,826,333)
<b>TOTAL LIABILITIES AND MEMBERS' EQUITY (DEFICIENCY)</b>	<b>\$ 13,330,718</b>	<b>\$ 12,591,986</b>

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**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
 SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
 STATEMENTS OF OPERATIONS  
 FOR THE YEARS ENDED NOVEMBER 30, 2009 AND 2008**

	<u>2009</u>	<u>Percent of Total Income</u>	<u>2008</u>	<u>Percent of Total Income</u>
<b>Contributions</b>				
Contributions written	\$ 11,032,664		\$ 10,242,785	
Contribution adjustments	629,037		510,975	
Less commissions	<u>(1,461,273)</u>		<u>(1,376,988)</u>	
Net Contributions Written and Earned	<u>10,200,428</u> ✓		<u>9,376,772</u> ✓	
<b>Other Income</b>				
Investment income	334,871		402,655	
Realized gain/(loss) on sale of investments	<u>(127,410)</u>		<u>(238,968)</u>	
Net Other Income	<u>207,461</u> ✓		<u>163,689</u> ✓	
<b>TOTAL INCOME</b>	<u>10,407,889</u> ✓	100.0%	<u>9,540,461</u> ✓	100.0%
<b>Operating Expenses</b>				
Claims paid	8,112,474	77.9%	7,055,703	74.0%
Claims reserve	1,064,500	10.2%	1,377,500	14.4%
Loss adjustment expense	461,004	4.4%	433,064	4.5%
Workers' compensation fund assessment	1,049,277	10.1%	919,484	9.6%
Insurance expense	881,224	8.5%	1,051,851	11.0%
General and administrative expense	438,667	4.2%	340,089	3.5%
Interest expense	22,962	0.2%	26,523	0.3%
Total Operating Expenses	<u>12,030,108</u>	115.5%	<u>11,204,214</u>	117.3%
<b>Income (Loss) from Operations Before Provision for Income Taxes</b>	(1,622,219)	-15.5%	(1,663,753)	-17.3%
Provision for Income Taxes	3,500	0.0%	100	0.0%
Deferred Tax Benefit	<u>(522,000)</u>	-5.0%	<u>(503,000)</u>	-5.3%
<b>NET INCOME (LOSS)</b>	<u>\$ (1,103,719)</u>	-10.5%	<u>\$ (1,160,853)</u>	-12.0%

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**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
 SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
 STATEMENTS OF CHANGES IN MEMBERS' EQUITY (DEFICIENCY)  
 FOR THE YEARS ENDED NOVEMBER 30, 2009 AND 2008**

	<u>Members' Equity (Deficiency)</u>	<u>Accumulated Other Comprehensive (Loss) Income</u>	<u>Total Members' Equity (Deficiency)</u>
<b>Balance, December 1, 2007</b>	\$ (222,259)	\$ 341,563	\$ 119,304
Comprehensive Income (Loss):			
Net loss	(1,160,853)	-	(1,160,853)
Other comprehensive income:			
Unrealized (loss) on investments arising during the period	-	(948,977)	(948,977)
Reclassification adjustment	-	164,193	164,193
Comprehensive Income (Loss)	<u>(1,160,853)</u>	<u>(784,784)</u>	<u>(1,945,637)</u>
<b>Balance, November 30, 2008</b>	<u>(1,383,112)</u>	<u>(443,221)</u>	<u>(1,826,333)</u>
Comprehensive Income (Loss):			
Net loss	(1,103,719)	-	(1,103,719)
Other comprehensive income:			
Unrealized gain on investments arising during the period	-	947,554	947,554
Reclassification adjustment	-	(175,738)	(175,738)
Comprehensive Income (Loss)	<u>(1,103,719)</u>	<u>771,816</u>	<u>(331,903)</u>
<b>Balance, November 30, 2009</b>	<u>\$ (2,486,831)</u>	<u>\$ 328,595</u>	<u>\$ (2,158,236)</u>

See accompanying notes to financial statements.

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
 SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
 STATEMENTS OF CASH FLOWS  
 FOR THE YEARS ENDED NOVEMBER 30, 2009 AND 2008**

	<u>2009</u>	<u>2008</u>
<b>Cash Flows From Operating Activities</b>		
Net loss	\$ (1,103,719)	\$ (1,160,853)
Adjustments to reconcile net income (loss) to net cash provided (used) by operating activities		
Amortization of premium (discount) on investments	15,351	6,563
Realized loss on sale of investments	127,410	238,966
Deferred taxes	(522,000)	(503,000)
(Increase) decrease in assets:		
Accrued interest receivable	(3,717)	12,803
Contributions receivable	(452,229)	(122,618)
Expected recoveries	(132,289)	(240,173)
Prepaid expenses	57,944	53,425
Increase (decrease) in liabilities:		
Liability for unpaid claims - reserves	(368,225)	283,537
Liability for incurred but not reported claims	1,588,032	1,330,583
Reserves - expected recoveries	(23,018)	3,553
Accounts payable and accrued expenses	(6,042)	(15,896)
Liability for Workers' Compensation Board assessment	(120,112)	(225,667)
Net Cash Used by Operating Activities	<u>(942,614)</u>	<u>(338,777)</u>
<b>Cash Flows From Investing Activities</b>		
Purchase of investments	(3,670,170)	(3,230,605)
Proceeds from sales and maturities of investments	3,526,986	3,106,056
Net Cash Used by Investing Activities	<u>(143,184)</u>	<u>(124,549)</u>
<b>Net Decrease in Cash and Cash Equivalents</b>	(1,085,798)	(463,326)
Cash and Cash Equivalents, Beginning of Year	<u>2,882,829</u>	<u>3,346,155</u>
<b>Cash and Cash Equivalents, End of Year</b>	<u>\$ 1,797,031</u>	<u>\$ 2,882,829</u>
<b>Supplemental Disclosures:</b>		
Interest paid	\$ 22,962	\$ 26,523
Income taxes paid	<u>\$ 3,500</u>	<u>\$ 100</u>

See accompanying notes to financial statements.

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
NOTES TO FINANCIAL STATEMENTS  
NOVEMBER 30, 2009 AND 2008**

**1. DESCRIPTION OF THE TRUST**

***Nature of Activities***

The Community Residence Insurance Savings Plan Self-Insurance Trust for Workers' Compensation (the Trust) was established October 31, 1995 and became operational on December 15, 1995. The Trust was established pursuant to the provisions of Subdivision 3-a of Section 50 of the Workers' Compensation Law. The Trust is governed by a Trust Agreement administered by a Board of Trustees, consisting of eight Trustees. The Trust receives the majority of its revenue from member contributions. Membership in the Trust is open to employers engaged in providing community residence services or community mental hygiene treatment or rehabilitation services, special needs educational services programs and other social services programs, who are financially solvent; have an expected loss rate within set parameters; satisfy all other requirements of the Trust's excess carrier(s) and the Workers' Compensation Board of the State of New York and adhere to the safety policies and practices of the Trust. Voluntary termination of membership may only occur on the anniversary date of such membership. Upon termination of membership, such member shall remain liable for any and all dues and assessments relating to any period during which the member was a participant in the Trust. As of the year ended November 30, 2009, 207 community service providers participated in the Trust.

***Purpose of the Trust***

The Trust was established for the purpose of meeting and fulfilling an employer's obligations and liabilities under Article 2 of the Workers' Compensation Law which provides for workers' compensation coverage and benefits; to form an overall Self-Insurance Trust pursuant to such Law, to provide maximum allowable advance discounts on contribution payments made by employers for Workers' Compensation coverage; and to minimize the cost of providing workers' compensation coverage by developing and refining specialized claim services and a loss prevention program for employers offering community services. A Program Administrator is contracted by the Trust.

***Plan Benefits***

Workers' compensation benefits are provided by the Trust and administered under contract with the Trust's administrator. The Trust also maintains specific excess workers' compensation and employers' liability indemnity coverage with Safety National Casualty Corporation. Under the excess workers' compensation policy, the retained limit for workers' compensation coverage is \$500,000 per occurrence. Under Employers' Liability \$2,000,000 is the maximum limit of indemnity per occurrence. The Trust pays annual premiums for the insurance coverage. Fees for claims administration are based on the number of claims incurred and are included in claims adjustment expenses.

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
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NOTES TO FINANCIAL STATEMENTS  
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**2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

***Contributions Earned***

Contributions are billed to the members based on experience ratings and estimated covered payrolls of the participating members. Trust documents specify that contributions are fully earned at the start of each coverage period. No final adjustment has been made in these financial statements for the difference between estimated contributions and contributions calculated based on audited payroll of the members. Such final adjustments are made prospectively upon completion of such audits for each member.

***Liability for Reported and Incurred But Not Reported Claims***

The Trust establishes claims liabilities (see Note 6) based on estimates of the ultimate cost of claims (including future claims adjustment expenses) that have been reported but not settled, and of claims that have been incurred but not reported. The length of time for which such costs must be estimated varies depending on the nature of the claim. Estimated amounts of reinsurance recoverable on unpaid claims are deducted from the liability for unpaid claims. Because actual claims costs depend on such complex factors as inflation, changes in doctrines of legal liability, and damage awards, the process used in computing claims liabilities does not necessarily result in an exact amount. Claims liabilities are recomputed periodically using a variety of actuarial and statistical techniques to produce current estimates that reflect recent settlements, claims frequency, and other economic and social factors and are reported at their estimated present value. A provision for inflation in the calculation of estimated future claims costs is implicit in the calculation because reliance is placed both on actual historical data that reflect past inflation and on other factors that are considered to be appropriate modifiers of past experience. Adjustments to claims liabilities are charged or credited to expense in the periods in which they are known.

***Reinsurance***

The Trust uses reinsurance agreements to reduce its exposure to large losses on insured events. Reinsurance permits recovery of a portion of losses from reinsurers, although it does not discharge the primary liability of the Trust and the members as direct insurer of the risks reinsured. To the extent that the reinsurance company should be unable to meet its obligations under the existing agreements, the Trust would be liable for such defaulted amounts. The Trust does not report reinsured risks as liabilities unless it is probable that those risks will not be covered by reinsurers.

***Income Taxes***

Deferred income tax assets and liabilities are computed annually for differences between the financial statement and tax basis of assets and liabilities that will result in taxable or deductible amounts in the future based on enacted tax law and rates applicable to the periods in which the differences are expected to affect taxable income. Valuation allowances are established when necessary to reduce deferred tax assets to the amount expected to be realized. Income tax expense is the tax payable or refundable for the period.

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
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 NOTES TO FINANCIAL STATEMENTS  
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**2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

***Estimates***

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates. The significant estimates included in these financial statements are the liability for unpaid claims and incurred but not reported claims.

***Cash and Equivalents***

For financial statement purposes, all highly liquid investments are considered cash equivalents. The Trust places its cash balances with high credit quality institutions. At times, such amounts may be in excess of the FDIC insurance limit.

***Investments***

Investments in securities traded on a national securities exchange are valued at their closing sale prices on the valuation date or in the absence of a reported sale, at the mean of the last recorded bid and asked prices within the last five bank business days preceding the valuation date. Nonlisted trading account securities are valued utilizing an independent bond pricing service for identical assets or significantly similar securities. The pricing service uses a variety of techniques to arrive at fair value including market maker bids, quotes and pricing models. Inputs to the pricing models include recent trades, benchmark interest rates, spreads, two-sided markets, benchmark securities, offers, reference data, and industry and economic events. Unrealized gains and losses are recognized as a separate component of members' equity (deficiency). Realized gains and losses on investments are determined by specific identification and are charged or credited to current earnings.

**3. CASH AND EQUIVALENTS**

Cash and cash equivalents consists of the following at November 30:

	<u>2009</u>	<u>2008</u>
Cash	\$ 105,121	\$ 84,782
Certificates of Deposit	194,000	392,000
Money market funds	<u>1,497,910</u>	<u>2,406,047</u>
Total Cash and Cash Equivalents	<u>\$ 1,797,031</u>	<u>\$ 2,882,829</u>

For the year ended November 30, 2009, the Trust had cash balances in financial institutions, which exceeded the current FDIC limit.

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**4. INVESTMENTS**

Current Workers' Compensation Board of the State of New York regulations restrict self-insurance trust investments in equities to not more than 25% of total invested assets including cash and equivalents. Investments are classified as available-for-sale. Investments at November 30, 2009 consist of:

	<u>Cost</u>	<u>Fair Value</u>	<u>Unrealized Gain (Loss)</u>
Government securities	\$ 5,549,337	\$ 5,796,688	\$ 247,351
Mutual funds	237,030	254,619	17,589
Equity securities	<u>1,825,400</u>	<u>1,889,055</u>	<u>63,655</u>
	<u>\$ 7,611,767</u>	<u>\$ 7,940,362</u>	<u>\$ 328,595</u>

Investments at November 30, 2008 consist of:

	<u>Cost</u>	<u>Fair Value</u>	<u>Unrealized Gain (Loss)</u>
Government securities	\$ 5,465,987	\$ 5,589,474	\$ 123,487
Mutual funds	220,987	186,873	(34,114)
Equity securities	<u>1,924,368</u>	<u>1,391,776</u>	<u>(532,592)</u>
	<u>\$ 7,611,342</u>	<u>\$ 7,168,123</u>	<u>\$ (443,219)</u>

The Trust invests in various investment securities and mutual funds. Investment securities and mutual funds are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities and mutual funds, it is at least reasonably possible that changes in the values of investment securities and mutual funds will occur in the near term and that such changes could materially affect the amounts reported in the balance sheet.

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**5. FAIR VALUE MEASUREMENTS**

The Trust previously adopted the requirements of U.S. generally accepted accounting principles (GAAP) relating to the fair value measurement of its assets and liabilities. GAAP 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.

The following table presents the financial instruments recorded at fair value by the Trust for available-for-sale securities on a recurring basis.

**Fair Value Measurements at Reporting Date Using:**

	<u>Fair Value</u>	<u>Quoted Prices in Active Markets for Identical Assets (Level 1)</u>	<u>Significant Other Observable Inputs (Level 2)</u>	<u>Significant Unobservable Inputs (Level 3)</u>
November 30, 2009:				
Securities	\$ 7,940,362	\$ 7,940,362	\$ -	\$ -
Total	<u>\$ 7,940,362</u>	<u>\$ 7,940,362</u>	<u>\$ -</u>	<u>\$ -</u>
November 30, 2008:				
Securities	\$ 7,168,123	\$ 7,168,123	\$ -	\$ -
Total	<u>\$ 7,168,123</u>	<u>\$ 7,168,123</u>	<u>\$ -</u>	<u>\$ -</u>

**6. LIABILITY FOR REPORTED AND INCURRED BUT NOT REPORTED CLAIMS**

Liabilities for reported claims and incurred but not reported claims are estimated by the Trust with input from consulting actuaries. The Trust's policy is to establish reserves for losses for reported claims on a case basis and for incurred but not reported claims on a basis of historically established industry statistical data and the Trust's own historical experience. Trust management believes that it has recorded a liability for unpaid claims and claim adjustment expenses as of November 30, 2009 and 2008 that is reasonable in the circumstances. However, because the Trust does not yet have sufficient historical loss experience to determine whether actual incurred claims and claim adjustment expenses will reasonably conform to the assumptions used in the determination of the estimated liability for unpaid claims and claim adjustment expenses, the ultimate amount of unpaid claims and claim adjustment expenses may vary significantly from the estimated amounts included in the accompanying financial statements. The Trust also takes into account the time value of money by reporting claims liabilities at their present value.

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
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**6. LIABILITY FOR REPORTED AND INCURRED BUT NOT REPORTED CLAIMS**

Liability for Workers' Compensation Board assessment includes amounts due to the Workers' Compensation Board and an estimate based on the liability for reported and incurred but not reported claims.

Consulting actuaries have provided an estimate of reported claims and incurred but not reported claims as of November 30, 2009 and 2008, on both a discounted and non-discounted basis. The non-discounted estimate is \$16,440,000 and \$15,290,000 for the years ended November 30, 2009 and 2008, respectively.

On a discounted basis, the estimate is \$13,595,000 and \$12,530,500 for 2009 and 2008, respectively. Management believes these amounts fairly present the liability for estimated future claims based upon current assumptions and levels of activity. The liability for unpaid claims consists of the following at November 30:

	<u>2009</u>	<u>2008</u>
Liability for known claims	\$ 5,721,366	\$ 6,089,591
Liability for incurred but not reported claims	<u>10,718,634</u>	<u>9,200,409</u>
 Total Liability for Unpaid Claims	 <u>\$ 16,440,000</u>	 <u>\$ 15,290,000</u>
 Discounted at 5% in 2009 and 2008	 <u>\$ 13,595,000</u>	 <u>\$ 12,530,500</u>

**7. INCOME TAXES**

The provisions for federal income tax differ from the amount of income tax determined by applying the federal statutory rate to pre-tax income. The difference is primarily due to the net operating loss carryforward.

Provision for income tax consists of the following:

	<u>2009</u>	<u>2008</u>
Current		
Federal	\$ -	\$ -
State	<u>3,500</u>	<u>100</u>
Total Current Taxes	<u>\$ 3,500</u>	<u>\$ 100</u>

Differences between the provision for income tax expense at statutory income tax rates and the provision in the statement of operations follows:

	<u>2009</u>	<u>2008</u>
Benefit at federal statutory rate	<u>\$ (522,000)</u>	<u>\$ (503,000)</u>

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**7. INCOME TAXES**

Beginning December 1, 2009, the Trust has available approximately \$3,500,000 of net operating loss carryforwards which can be used to reduce future taxable income. The net operating loss carryforwards begin to expire in 2020.

**Deferred Tax Assets**

Financial accounting presentation requirements and tax basis regulations result in differences between the basis of certain assets and liabilities for financial reporting purposes and tax purposes. The tax effects of these differences, to the extent they are temporary, are recorded as deferred tax assets and liabilities and consist of the following at November 30:

	<u>2009</u>	<u>2008</u>
Net operating losses	\$ 1,197,000	\$ 675,000
Deferred tax asset	1,197,000	675,000
Less valuation allowance	-	-
Net deferred tax asset	<u>\$ 1,197,000</u>	<u>\$ 675,000</u>

**8. LETTER OF CREDIT**

The Trust has an unused \$2,300,000 irrevocable letter of credit with a bank which expires on April 30, 2010. The letter of credit is collateralized by cash and investments held at this bank.

**9. TRUST ADMINISTRATOR AND CLAIMS ADJUSTER**

Program Risk Management, Inc. is the Trust's administrator and PRM Claim Services, Inc. (an affiliate of the Trust's administrator) is the claims adjuster for the Trust. The Trust paid approximately \$461,000 and \$433,000 in loss adjusting expense in 2009 and 2008, respectively to PRM Claim Services, Inc. In addition, the Trust paid approximately \$731,000 and \$711,000 in program administration commissions in 2009 and 2008, respectively, to Program Risk Management, Inc., which are included in total commissions paid. PRM Claim Services, Inc. was holding \$105,121 and \$84,782 in 2009 and 2008, respectively in a claim trust account to pay claims on behalf of the Trust. This amount is included in cash and cash equivalents.

**10. COMMITMENTS AND CONTINGENCIES**

The Trust has entered into a participation agreement with each member to provide risk management services, workers' compensation and employer's liability coverage. The agreement stipulates, among other things, that each member is jointly and severally liable for the workers' compensation and employer's liability obligations of the Trust and its members which were incurred during the member's period of membership in the Trust, irrespective of the subsequent termination of membership in the Trust, the insolvency or bankruptcy of another member of the Trust, or other facts or circumstances. Accordingly, the financial viability of the Trust is contingent, among other factors, upon the financial viability of the individual members.

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
NOTES TO FINANCIAL STATEMENTS  
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**11. MANAGEMENT'S PLANS**

The Trust had a members' deficiency (excess of liabilities over assets) at November 30, 2009 in the amount of \$2,158,236. The Trust has entered into a Consent Agreement with the Workers' Compensation Board, whereby it has agreed to reduce that deficit by at least \$650,000 in 2009-2010. The entire deficit must be eliminated by the year 2014 and if it is not eliminated at the rate agreed upon with the Workers' Compensation Board on an annual basis, members must be assessed the shortfall. The Trust has undertaken a number of initiatives designed to improve its profitability and eliminate the deficit. The initiatives that were undertaken by management included the following:

- Charging 5% for NYS Assessments.
- Increasing rates for most employee classifications.
- The Trust continues to apply an underwriting and pricing philosophy that focuses on writing profitable new members. Existing members with loss frequency and severity problems are identified on a continual basis. These members are provided with aggressive loss prevention services, including specific action plans designed to reduce loss frequency and severity, additional site visits and customized consulting services. In addition, members are implementing return-to-work programs, which reduce ultimate losses at the case level by 25-35%. Accounts that do not respond favorably to these loss reduction and prevention measures are removed from the Trust.
- Claims management tools such as Section 32 settlements, return-to-work counseling and transitional work programs have greatly improved loss results for the Trust. Reserves are set to expected ultimate value as soon as possible, minimizing adverse loss development.

Consistent with regulations governing all group self-insurance trusts, the New York State Workers' Compensation Board completes a thorough review of the Trust's operations and financial status annually. Currently, the Trust is considered to be under funded from a regulatory standpoint. The Workers' Compensation Board and the Trust have a Consent Agreement which specifies how the regulatory funding ratio is to be improved, how the Trust will report interim financials to the Board and that the Trust will operate efficiently and profitably going forward.

**12. SUBSEQUENT EVENTS**

The Trust has evaluated all events subsequent to November 30, 2009 through March 29, 2010, which is the date these financial statements were available to be issued, and has determined that there are no subsequent events that require adjustment or disclosure.

**RECEIVED  
WORKERS' COMPENSATION  
MAR 31 2010  
SELF INSURANCE OFFICE**

**COMMUNITY RESIDENCE INSURANCE SAVINGS PLAN  
 SELF-INSURANCE TRUST FOR WORKERS' COMPENSATION  
 SCHEDULES OF EXPENSES  
 FOR THE YEARS ENDED NOVEMBER 30, 2009 AND 2008**

	<u>2009</u>	<u>Percent of Income</u>	<u>2008</u>	<u>Percent of Income</u>
<b>Insurance Expense</b>				
Trust reinsurance	\$ 793,672	7.7%	\$ 975,951	10.2%
Surety bond insurance	34,500	0.3%	34,500	0.4%
Directors and officers insurance	53,052	0.5%	41,400	0.4%
Total Insurance	<u>\$ 881,224</u>	<u>8.5%</u>	<u>\$ 1,051,851</u>	<u>11.0%</u>
<b>General and Administration</b>				
Actuarial services	\$ 20,218	0.2%	\$ 17,600	0.2%
Legal	57,131	0.6%	39,575	0.4%
Accounting and auditing	35,877	0.3%	29,050	0.3%
Loss control service	60,000	0.6%	60,000	0.6%
Workers' compensation audits	65,936	0.6%	65,077	0.7%
Letter of credit expense	20,930	0.2%	20,930	0.2%
Investment administration	58,131	0.6%	61,886	0.6%
Office expense and other	3,400	0.0%	2,748	0.0%
Trustee fees	106,500	1.0%	37,000	0.4%
Trustee expense	10,544	0.1%	6,223	0.1%
Total General and Administration	<u>\$ 438,667</u>	<u>4.2%</u>	<u>\$ 340,089</u>	<u>3.5%</u>

**RECEIVED**  
 WORKERS' COMPENSATION  
 MAR 31 2010  
 SELF INSURANCE OFFICE