

June 4, 2020

Mr. Jack Hattig III
Administrative Director
Chamorro Land Trust Commission
P.O. Box 2950
Hagatna, GU 96932

Dear Mr. Hattig:

In planning and performing our audit of the financial statements of the Chamorro Land Trust Commission (CLTC) as of and for the year ended September 30, 2019 (on which we have issued our report dated June 4, 2020), 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, we considered the CLTC's 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 CLTC's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the CLTC's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting. However, in connection with our audit, we identified, and included in the attached Appendix I, deficiencies related to the CLTC's internal control over financial reporting and other matters as of September 30, 2019, that we wish to bring to your attention.

We have also issued a separate report to the Board of Commissioners, also dated June 4, 2020, on our consideration of the CLTC's 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 definition of a deficiency is also set forth in the attached Appendix I.

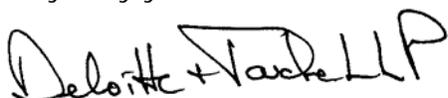
A description of the responsibility of management for establishing and maintaining internal control over financial reporting and of the objectives of and inherent limitations of internal control over financial reporting, is set forth in the attached Appendix II and should be read in conjunction with this report.

This report is intended solely for the information and use of the Office of the Public Accountability - Guam, management, and others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.

We will be pleased to discuss the attached comments with you and, if desired, to assist you in implementing any of the suggestions.

We wish to thank the staff and management of the CLTC for their cooperation and assistance during the course of this engagement.

Very truly yours,

A handwritten signature in black ink that reads "Deloitte + Touche LLP". The signature is written in a cursive, stylized font.

SECTION I – CONTROL DEFICIENCIES

We identified, and have included below, control deficiencies involving the CLTC's internal control over financial reporting as of September 30, 2019 that we wish to bring to your attention:

(1) LeasesCommercial

- a. During the year ended September 30, 2019, the CLTC collected annual rental fees of \$2,207 without a formal signed lease. Thus, we were unable to verify the completeness of related terms and conditions.
- b. Two leases with annual rental fees of \$3,840 and \$6,240, respectively, matured prior to September 30, 2019. The CLTC continues to receive collections without a formal lease extension.
- c. Certain leases stipulate that upon lease renewal every five years, rents shall be adjusted to a certain percentage of the fair market value of the leased land, excluding improvements on the premises. Several leases were renewed and extended; however, the CLTC did not provide an appraisal or equivalent to substantiate the market value of the leased lands. Accordingly, current rental fees billed remained at the same rate as per the initial lease.

Agricultural

- a. A certain lessee holds two separate leases with a lot size of one acre each, situated in Dededo and Yigo, which leases were signed in 1998 and 2003, respectively.
- b. A certain lessee holds two separate leases with a lot size of less than half an acre each, both situated in Santa Rita, which leases were signed in July 2002 and December 2002, respectively.

Residential

- a. A certain lease was transferred to a current listed lessee effective June 14 2019; however, we noted that the previous lessee held the lease for less than seven years as required by the CLTC Rules. Furthermore, we noted that the lessee is affiliated with a current CLTC employee. A signed disclosure of affiliation by the employee did not evidence approval by the appropriate CLTC Officer.

The CLTC may consider performing appraisals of commercial lease lands to obtain market values to serve as a basis of rates to be billed. In addition, we recommend that the CLTC appropriately examine the lease register, perform timely updates of related information, and adequately file necessary supporting lease documents. Finally, we recommend that leases be processed in accordance with the CLTC Act and the CLTC Rules and Regulations. These control deficiencies and related matters were discussed in our previous letter to management for fiscal years 2018, 2017, 2016 and 2015.

(2) Special Fund Revenues

During the year ended September 30, 2019, revenue collections of \$404,300 for the Chamorro Loan Guarantee Fund and the Chamorro Land Trust Survey and Infrastructure Fund were recorded; however, no cash transfers were made to the respective fund bank accounts resulting in an interfund receivable due from the GovGuam General Fund. We recommend management perform periodic monitoring of revenue collections and pursue timely deposits to the respective fund bank accounts.

SECTION I – CONTROL DEFICIENCIES, CONTINUED

(3) Office Lease

The CLTC management awarded a Commission's office lease. However, terms stipulating the commencement date were not explicitly disclosed. We recommend the CLTC completely document terms of the office lease.

SECTION II – DEFINITION

The definition of a deficiency is as follows:

A *deficiency* 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 deficiency in design exists when (a) a control necessary to meet the control objective is missing or (b) an existing control is not properly designed so that, even if the control operates as designed, the control objective would not be met. A deficiency in operation exists when (a) a properly designed control does not operate as designed, or (b) the person performing the control does not possess the necessary authority or competence to perform the control effectively.

MANAGEMENT'S RESPONSIBILITY FOR, AND THE OBJECTIVES AND LIMITATIONS OF, INTERNAL CONTROL OVER FINANCIAL REPORTING

The following comments concerning management's responsibility for internal control over financial reporting and the objectives and inherent limitations of internal control over financial reporting are adapted from auditing standards generally accepted in the United States of America.

Management's Responsibility

The CLTC's management is responsible for the overall accuracy of the financial statements and their conformity with generally accepted accounting principles. In this regard, management is also responsible for establishing and maintaining effective internal control over financial reporting.

Objectives of Internal Control over Financial Reporting

Internal control over financial reporting is a process affected by those charged with governance, management, and other personnel and designed to provide reasonable assurance about the achievement of the entity's objectives with regard to reliability of financial reporting, effectiveness and efficiency of operations, and compliance with applicable laws and regulations. Internal control over the safeguarding of assets against unauthorized acquisition, use, or disposition may include controls related to financial reporting and operations objectives. Generally, controls that are relevant to an audit of financial statements are those that pertain to the entity's objective of reliable financial reporting (i.e., the preparation of reliable financial statements that are fairly presented in conformity with generally accepted accounting principles).

Inherent Limitations of Internal Control over Financial Reporting

Because of the inherent limitations of internal control over financial reporting, including the possibility of collusion or improper management override of controls, material misstatements due to error or fraud may not be prevented or detected on a timely basis. Also, projections of any evaluation of the effectiveness of the internal control over financial reporting to future periods are subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.