



The Office of Secretary of State
Securities Division

Brian P. Kemp
Secretary of State

Noula Zaharis
Director

In the matter of

**GEORGIA HUMANE
SOCIETY, INC.**

Respondent.

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Case Number: ENCH-170211

ORDER TO CEASE AND DESIST

Pursuant to the authority of the Georgia Charitable Solicitations Act of 1988, as amended, O.C.G.A. § 43-17-1, *et seq.* (“Act”), and 590-9-1, *et seq.* of the Rules and Regulations of the State of Georgia (“Rules”), the Secretary of State of the State of Georgia (“Secretary”) has caused an investigation to be made into the acts and practices of **Georgia Humane Society, Inc.** (“GHS” or “Respondent”). As a result of the investigation, the Secretary makes the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

1. GHS is a domestic non-profit corporation, formed for the purpose of protecting animals while operating as an animal shelter. GHS is currently registered with the Georgia Corporations Division. Respondent’s principal office address is 2151 Todd Road, Greenville, GA 30222.
2. GHS is registered as a 501(c) (3) organization with the Internal Revenue Service.
3. Respondent’s chief executive officer is Joan Weatherford Sammond (“Sammond”) with a listed address of 815 Pinecrest Drive, Manchester, GA, 31816.
4. Respondent’s chief financial officer is Antoinette Mitchell with a listed address of 6842 Robinwood Trail, Douglasville, GA, 30135.

5. Respondent's registered agent is Leslie Marler with a listed address of 4723 Oakleigh Manor, Powder Springs, GA 30127.
6. GHS is not registered as a charitable organization with the State of Georgia and has not claimed to be exempt from registration.
7. On May 25, 2017, the Secretary received a complaint that GHS was receiving charitable donations while unregistered as a charitable organization.
8. On June 6, 2017, the Securities and Charities Division of the Office of Georgia Secretary of State ("Division") sent a letter addressed to Leslie Marler, Respondent's registered agent. The letter requested evidence stating the basis upon which GHS is exempt from registering as a charitable organization or, alternatively, to start the registration process if Respondent was not exempt from registration. The letter was subsequently returned to sender as non-deliverable as addressed and unable to forward.
9. On August 9, 2017, an investigator for the Secretary attempted to hand deliver the same letter, addressed to Sammond, to GHS's principal office address.
10. The investigator was unable to give the letter directly to Sammond and made contact with Herbert Bartlett. Herbert Bartlett took possession of the letter, stating that he would forward the letter to Joan Sammond in Buford, Georgia.
11. To this date, the Division has not received a response from GHS or any of its members and associates.

II. CONCLUSIONS OF LAW

12. Paragraphs 1 through 11 are incorporated by reference as though fully set forth herein.
13. The Secretary has jurisdiction over this matter pursuant to the Act. *See* O.G.C.A.
14. Pursuant to O.C.G.A. § 43-17-13(a)(1)(A)(i), the Secretary may issue a cease and desist order against any person that has engaged in or is engaging in or is about to engage in any act, practice, or transaction which is prohibited by the [Act] or by any rule, regulation, or order of the Secretary
15. Pursuant to O.C.G.A. § 43-17-5(a), it is "unlawful for charitable organizations to solicit or accept charitable contributions from any person located in this state, to solicit or accept charitable contributions from any person, wherever located, on behalf of a charitable organization located in this state unless the charitable organization on whose behalf such contributions are being solicited or accepted is subject to an effective registration statement under this chapter or exempt from registration pursuant to O.C.G.A. § 43-17-9."
16. Respondent's solicitation and acceptance of charitable contributions, while operating in Georgia, without registering with the Secretary is a violation of O.C.G.A. § 43-17-5. As a result of the violation, Respondent is subject to penalty under O.C.G.A. § 43-17-13.

III. ORDER

WHEREFORE, by the authority vested in me as the Secretary of State for the State of Georgia,
IT IS HEREBY ORDERED:

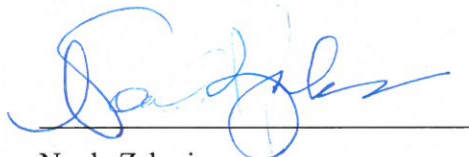
1. **Georgia Humane Society, Inc. CEASE AND DESIST** from all violations of the Georgia Charitable Solicitations Act of 1988, as amended.

The entry of this Order is deemed to be in the public interest, and shall not be deemed to constitute findings or conclusions relating to other persons unrelated to Respondent and shall not be deemed to be a waiver or estoppel on the part of the Secretary of State from proceeding in individual actions against any person who may have violated the Act or any transactions not specifically referred to herein or not known to the Commissioner at the time this Order was issued.

SO ORDERED this 22nd day of August, 2018.

BRIAN P. KEMP
SECRETARY OF STATE

By:



Noula Zaharis
Director, Securities & Charities Division