

**REPORT OF THE AUDIT OF THE  
FORMER ESTILL COUNTY  
CLERK**

**For The Period  
January 1, 2024 Through March 31, 2024**



**ALLISON BALL  
AUDITOR OF PUBLIC ACCOUNTS  
[auditor.ky.gov](http://auditor.ky.gov)**

**209 ST. CLAIR STREET  
FRANKFORT, KY 40601-1817  
TELEPHONE (502) 564-5841  
FACSIMILE (502) 564-2912**



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**ALLISON BALL**  
**AUDITOR OF PUBLIC ACCOUNTS**

**Independent Auditor's Report**

The Honorable Donnie Watson, Estill County Judge/Executive  
The Honorable Brian Crowe, Former Estill County Clerk  
The Honorable Kim Charles, Estill County Clerk  
Members of the Estill County Fiscal Court

**Report on the Audit of the Financial Statement**

**Disclaimer of Opinion**

We were engaged to audit the Statement of Receipts, Disbursements, and Excess Fees – Regulatory Basis of the former County Clerk of Estill County, Kentucky, for the period January 1, 2024 through March 31, 2024 and the related notes to the financial statement.

We do not express an opinion on the financial activity of the former Estill County Clerk. Because of the significance of the matters described in the Basis for Disclaimer of Opinion section of our report, we have not been able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on the financial activity.

**Basis for Disclaimer of Opinion**

The former Estill County Clerk had an ineffective internal control environment and failed to implement effective segregation of duties, oversight, and review procedures to prevent and detect errors, misstatements, and fraud in the clerk's financial activities. Further, the former Estill County Clerk did not prepare a financial statement and failed to maintain accurate accounting records to allow us to apply audit procedures to satisfy ourselves as to the validity and completeness of fee account receipts and disbursements for the period January 1, 2024 through March 31, 2024. Based on these conditions, we determined the fraud risk to be too high and were unable to apply other procedures to mitigate this risk. In addition, we were unable to obtain required written management representations from the former Estill County Clerk, which results in management-imposed scope limitation. Management is required to provide written representation to assert that they have fulfilled their responsibility for the preparation and fair presentation of the financial statements and that the information provided to the auditor is complete. The significant of these issues, in the aggregate, prevents us from placing reliance on the financial activities of the former Estill County Clerk and from expressing an opinion on the financial statement of the former Estill County Clerk.

**Responsibilities of Management for the Financial Statement**

Management is responsible for the preparation and fair presentation of the financial statement in accordance with accounting practices prescribed or permitted by the Department for Local Government to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws. This includes determining that the regulatory basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of a financial statement that is free from material misstatement, whether due to fraud or error.



The Honorable Donnie Watson, Estill County Judge/Executive  
 The Honorable Brian Crowe, Former Estill County Clerk  
 The Honorable Kim Charles, Estill County Clerk  
 Members of the Estill County Fiscal Court

### **Responsibilities of Management for the Financial Statement (Continued)**

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about former Estill County Clerk's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### **Auditor's Responsibilities for the Audit of the Financial Statement**

Our responsibility is to conduct an audit of former Estill County Clerk's financial statement 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 and to issue an auditor's report. However, because of the matter described in the Basis for Disclaimer of Opinion section of our report, we were not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on the financial statement.

We are required to be independent of the former Estill County Clerk and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit.

### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 13, 2026, on our consideration of the former Estill County Clerk'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 purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the former Estill County Clerk's internal control over financial reporting and compliance.

Based on the results of our audit, we present the accompanying Schedule of Findings and Responses included herein, which discusses the following report findings:

- 2024-001 The Former Estill County Clerk Failed To Implement Adequate Internal Controls Regarding Oversight And Review Of Daily Activities
- 2024-002 The Former Estill County Clerk Overspent Available Funds And Has A Deficit Of \$156,246 In His 2024 Fee Account
- 2024-003 The Former Estill County Clerk Overspent Available Funds And Has A Known Cumulative Deficit Of \$195,838

Respectfully submitted,



Allison Ball  
 Auditor of Public Accounts  
 Frankfort, Ky

March 13, 2026

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL  
STATEMENT PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

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ALLISON BALL  
AUDITOR OF PUBLIC ACCOUNTS

Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With *Government Auditing Standards*

Independent Auditor's Report

The Honorable Donnie Watson, Estill County Judge/Executive  
The Honorable Brian Crowe, Former Estill County Clerk  
The Honorable Kim Charles, Estill County Clerk  
Members of the Estill County Fiscal Court

We were engaged to audit, in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, and the *Audit Program for County Fee Officials* issued by the Auditor of Public Accounts, Commonwealth of Kentucky, the Statement of Receipts, Disbursements, and Excess Fees - Regulatory Basis of the former Estill County Clerk for the period January 1, 2024 through March 31, 2024, and the related notes to the financial statement and have issued our report thereon dated March 13, 2026. Our report disclaims an opinion on the financial statement because we were unable to place appropriate reliance on the information provided during the audit and, therefore, cannot reduce the audit risk to an acceptable level.

**Report on Internal Control over Financial Reporting**

In connection with our engagement to audit the financial statement, we considered the former Estill County Clerk's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the former Estill County Clerk's internal control. Accordingly, we do not express an opinion on the effectiveness of the former Estill County Clerk's internal control.

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 that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying Schedule of Findings and Responses, we identified certain deficiencies in internal control that we consider to be material weaknesses.

A *deficiency in internal control* 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 *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying Schedule of Findings and Responses as items 2024-001, 2024-002, and 2024-003 to be material weaknesses.



Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With *Government Auditing Standards*  
(Continued)

**Report on Compliance And Other Matters**

As part of obtaining reasonable assurance about whether the former Estill County Clerk's financial statement is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statement. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying Schedule of Findings and Responses as items 2024-001, 2024-002, and 2024-003. Additionally, if the scope of our work had been sufficient to enable us to express an opinion on the financial statement, other instances of noncompliance or other matters may have been identified and reported herein.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Respectfully submitted,



Allison Ball  
Auditor of Public Accounts  
Frankfort, KY

March 13, 2026

## SCHEDULE OF FINDINGS AND RESPONSES

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ESTILL COUNTY  
BRIAN CROWE, FORMER COUNTY CLERK  
SCHEDULE OF FINDINGS AND RESPONSES

For The Period January 1, 2024 Through March 31, 2024

2024-001 The Former Estill County Clerk Failed To Implement Adequate Internal Controls Regarding Oversight And Review Of Daily Activities

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The former county clerk failed to maintain adequate oversight and review of daily office functions during the period January 1, 2024 through March 31, 2024, resulting in the following issues:

- The first quarter financial statement was not completed.
- Original bank statements were not maintained.
- Financial ledgers were not completed.
- An annual settlement was not completed and presented to the fiscal court.
- Payroll documentation, daily checkouts, and invoice documentation were not provided.
- Usage taxes are still owed to the state.
- License fees are still owed to the state and weekly reports were not filed.
- Tangible property taxes are owed to the state, the county, and other taxing districts.
- Delinquent real property taxes are owed to the state, the county, and other taxing districts.
- Deed transfer tax, storage fees, and a payroll reimbursement are still owed to the county.
- Legal process and affordable housing trust fees are still owed to the state.
- The former county clerk wrote 2 extra checks to himself totaling \$6,081.
- The 2024 fee account has not been settled.
- The former county clerk overspent available funds and has a deficit of \$156,246 in his 2024 fee account, see finding 2024-002.
- The former county clerk overspent available funds and has a cumulative deficit of \$195,838 in his 2020, 2021, 2022, 2023, and 2024 fee accounts, see finding 2024-003.

The former county clerk failed to maintain adequate supporting documentation and implement adequate internal controls over financial reporting. As a result, we could not perform sufficient audit procedures to overcome fraud risks. Internal control failures included lack of segregation of duties, management override of controls, and delays in providing auditors timely access to a complete set of accounting records and other financial information. By failing to provide complete financial records, auditors cannot verify the financial activities of his office. This serious weakness in design and operation of financial activities materially limited the scope of our audit. There was a high risk that a potential fraud could have occurred, and we could not overcome this risk through testing. Therefore, a disclaimer of opinion will be issued.

The former county clerk did not implement proper internal controls and oversee the closeout of his term to ensure the taxes were paid to taxing districts timely or an annual settlement was prepared. The former county clerk did not devote sufficient time to financial reporting to ensure all financial activity was compiled and reported timely. There is an increased risk of fraud due to management's ability to override the entire control system without detection.

The former county clerk has several noncompliance issues, undetected errors, and a deficit totaling \$156,246. In addition, it should be noted that due to the lack of financial records noted above, auditors could not ensure proper corrective actions had been enacted by the former county clerk to clear any prior year findings. Thus, we will not present or carry forward any prior year findings as part of this audit report. Further, the combination of an ineffective control environment and noted fraud risk were too severe to allow auditors to issue an opinion on the former county clerk's financial statement.

ESTILL COUNTY  
 BRIAN CROWE, FORMER COUNTY CLERK  
 SCHEDULE OF FINDINGS AND RESPONSES  
 For The Period January 1, 2024 Through March 31, 2024  
 (Continued)

2024-001 The Former Estill County Clerk Failed To Implement Adequate Internal Controls Regarding Oversight And Review Of Daily Activities (Continued)

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KRS 46.010(2) requires, “each county treasurer, and each county officer who receives or disburses state funds, to keep an accurate account of receipts and disbursements, showing a daily balance of receipts and disbursements.” KRS 46.010(3) requires, “all county officers handling state funds, other than taxes, to make an annual report to the Department for Local Government showing receipts and disbursements, and to make other financial statements as the Department for Local Government requires.”

It is the statutory duty of the county clerk to collect and distribute motor vehicle taxes, delinquent taxes, and various taxes/fees on legal instruments. There are numerous statutes that outline the duties and responsibilities of the county clerk. Additionally, good internal controls dictate that strong review and oversight procedures should be in place to reduce the risk of misstatement, uncorrected errors, and unnecessary penalties. These procedures are essential to ensure complete and accurate financial reporting, without which auditors cannot determine if the financial statement is materially correct.

We recommend the former county clerk work with the county attorney and the fiscal court to take immediate action to remedy the issues outlined in these findings. Further, we recommend the county clerk’s office implement policies and procedures to ensure all financial activity is complete, accurate, properly recorded, and classified. Procedures should also be implemented to ensure compliance with applicable statutes, regulations, and policies. This matter will be referred to the Department for Local Government, the Office of the Attorney General, Department of Revenue, and the Kentucky Transportation Cabinet.

*Former County Clerk’s Response: The former official did not provide a response.*

2024-002 The Former Estill County Clerk Overspent Available Funds And Has A Deficit Of \$156,246 In His 2024 Fee Account

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This is a repeat finding and was included in the prior year audit report as finding 2023-002. The former county clerk overspent the funds that were available in 2024. Based on the auditor’s recap of the former county clerk’s bank transactions for calendar year 2024, the former county clerk had receipts of \$814,054, and disbursements of \$970,300, which resulted in a deficit of at least \$156,246 in the 2024 fee account. The former county clerk made numerous transfers from the 2024 fee bank account to the 2023 fee account to cover payments due to taxing districts.

Furthermore, the former county clerk did not have proper internal controls and oversight procedures in place to monitor the budget and financial activity to ensure expenses did not exceed available funds for 2024. Bank reconciliations were not completed; therefore, the budget and financial activity were not properly tracked.

Because a quarterly financial statement and ledgers were not completed, we cannot ensure that all receipts and disbursements have been properly accounted for. However, audit procedures determined certain known liabilities as outlined in the following schedule:

ESTILL COUNTY  
 BRIAN CROWE, FORMER COUNTY CLERK  
 SCHEDULE OF FINDINGS AND RESPONSES  
 For The Period January 1, 2024 Through March 31, 2024  
 (Continued)

2024-002 The Former Estill County Clerk Overspent Available Funds And Has A Deficit Of \$156,246 In  
 His 2024 Fee Account (Continued)

<u>Assets</u>	
Cash in Bank	\$ 78,974
Deposits in Transit	32,720
Receivables:	<u>28,541</u>
Total Assets	<u>140,235</u>
<u>Liabilities</u>	
Paid Obligations:	
Outstanding Checks	\$ 82
Paid Liabilities	<u>30,257</u>
Total Paid Obligations	<u>30,339</u>
Unpaid Obligations:	
State Treasurer-	
Motor Vehicle Licenses	89,152
Usage Tax	14,167
Tangible Personal Property Tax	48,134
Legal Process Tax	910
Affordable Housing	2,718
Delinquent Tax	275
Estill County -	
Tangible Personal Property Tax	9,867
Delinquent Tax	224
Deed Transfer Tax	5,335
Storage Fees	4,940
Payroll Reimbursement for 3/29/24	7,249
Other Taxing Districts -	
Library - Tangible Personal Property Tax	3,495
Library - Delinquent Tax	292
Health - Tangible Personal Property Tax	7,518
Health - Delinquent Tax	186
Extension- Tangible Personal Property Tax	3,666
Extension - Delinquent Tax	158
Ambulance - Tangible Personal Property Tax	9,400
Ambulance - Delinquent Tax	232
Soil - Delinquent Tax	35
City of Irvine - Tangible Personal Property Tax	3,597
City of Ravenna - Tangible Personal Property Tax	1,176
County Attorney - Delinquent Tax	513
Sheriff - Delinquent Tax	251
School - Tangible Personal Property Tax	51,495
School - Delinquent Tax	<u>1,157</u>
Total Unpaid Obligations	<u>\$ 266,142</u>
Total Liabilities	<u>296,481</u>
Total Fund Deficit as of December 31, 2024	<u>\$ (156,246)</u>

ESTILL COUNTY  
 BRIAN CROWE, FORMER COUNTY CLERK  
 SCHEDULE OF FINDINGS AND RESPONSES  
 For The Period January 1, 2024 Through March 31, 2024  
 (Continued)

2024-002 The Former Estill County Clerk Overspent Available Funds And Has A Deficit Of \$156,246 In His 2024 Fee Account (Continued)

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KRS 46.010(2) requires, “each county treasurer, and each county officer who receives or disburses state funds, to keep an accurate account of receipts and disbursements, showing a daily balance of receipts and disbursements.” KRS 46.010(3) requires, “all county officers handling state funds, other than taxes, to make an annual report to the Department for Local Government showing receipts and disbursements, and to make other financial statements as the Department for Local Government requires.” Proper oversight procedures require the budget to be monitored and that any deviations from expected receipts and disbursements are properly accounted for and considered when financial decisions are made. If funds available are not sufficient to meet obligations, expenses must be reduced to compensate and to avoid overspending and a fund deficit.

We recommend the former county clerk consult with the fiscal court and the county attorney to determine how to eliminate this deficit, up to and including using personal funds to settle the office’s obligations that are currently outstanding. We will refer this finding to the Department for Local Government.

*Former County Clerk’s Response: The former official did not provide a response*

2024-003 The Former Estill County Clerk Overspent Available Funds And Has A Known Cumulative Deficit Of \$195,838

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This is a repeat finding and was included in the prior year audit report as finding 2023-015. The former county clerk overspent the funds that were available in his prior year fee accounts, as well as the current year being audited. Based on the auditor’s recap of the former clerk’s bank transactions for calendar years 2020, 2021, 2022, 2023 and 2024, the former county clerk had recognized receipts of \$166,784, and recognized disbursements of \$362,622, which resulted in a deficit of at least \$195,838 cumulatively in the 2020, 2021, 2022, 2023 and 2024 fee accounts. The former county clerk has paid restitution to the fiscal court in the amount of \$79,948, leaving a net deficit of \$115, 890.

Furthermore, the former county clerk did not have proper internal controls and oversight procedures in place to monitor the budget and financial activity to ensure expenses did not exceed available funds. Bank reconciliations were not completed; therefore, the budget and financial activity were not properly tracked.

The former county clerk did not have sufficient funds available to settle outstanding liabilities for fee accounts for the year 2020 through 2024 and has not created a satisfactory resolution for the deficits. We cannot ensure that all receipts and disbursements have been properly accounted for, but audit procedures determined certain known receivables and liabilities as outlined in the following schedule.

ESTILL COUNTY  
 BRIAN CROWE, FORMER COUNTY CLERK  
 SCHEDULE OF FINDINGS AND RESPONSES  
 For The Period January 1, 2024 Through March 31, 2024  
 (Continued)

2024-003 The Former Estill County Clerk Overspent Available Funds And Has A Known Cumulative Deficit  
 Of \$195,838 (Continued)

Assets

Cash in Bank (Even and Odd Year Fee Account/Usage Tax Account/Fish and Game Rec Balance)	\$ 159,310
Uncollected Receivables:	
2021 Fee Account - Deed Transfer Tax Overpayment To County*	259
2021 Fee Account - Tangible Tax Overpayment To County*	197
2023 Fee Account - License Fee Overpayment To State*	<u>7,018</u>
Total Assets	166,784

Liabilities

Unpaid Obligations:	
2020 Fee Account - Amounts Due Districts*	13,376
2021 Fee Account - Amounts Due Districts*	12,500
2022 Fee Account - Amounts Due Districts*	40,205
2023 Fee Account - Amounts Due Districts*	30,399
2024 Fee Account - Amounts Due Districts*	<u>266,142</u>
Total Unpaid Obligations	362,622
Total Liabilities	<u>362,622</u>
Total Fund Deficit as of March 31, 2024 For CY 2020, 2021, 2022, 2023 and 2024 Fee Accounts	(195,838)
Restitution Paid To Fiscal Court	<u>79,948</u>
Net Deficit for CY 2020, 2021, 2022, 2023, and 2024 Fee Accounts	<u>\$ (115,890)</u>

\* See Appendix A

KRS 46.010(2) requires, “each county treasurer, and each county officer who receives or disburses state funds, to keep an accurate account of receipts and disbursements, showing a daily balance of receipts and disbursements.” KRS 46.010(3) requires, “all county officers handling state funds, other than taxes, to make an annual report to the Department for Local Government showing receipts and disbursements, and to make other financial statements as the Department for Local Government requires.” Proper oversight procedures require the budget to be monitored to ensure any deviations from expected receipts and disbursements are properly accounted for and considered when financial decisions are made. If funds available are not sufficient to meet obligations, expenses must be reduced to avoid overspending and creating a fund deficit.

We recommend the former county clerk consult with the fiscal court and the county attorney to determine how to eliminate this deficit, including using personal funds to settle the office’s obligations that are currently outstanding. We will refer this finding to the Department for Local Government.

*Former County Clerk’s Response: The former official did not provide a response.*

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ESTILL COUNTY  
 BRIAN CROWE, FORMER COUNTY CLERK  
 APPENDIX A

For The Period January 1, 2024 Through March 31, 2024

	<b>CY 2020</b>	<b>CY 2021</b>	<b>CY 2022</b>	<b>CY 2023</b>	<b>CY 2024</b>	<b>Audited TOTALS</b>
Tangible Personal Property Taxes - County	\$ 6,137	\$ 358		\$ 5,155	\$ 9,867	\$ 21,517
Tangible Personal Property Tax - Library	134	127			3,495	3,756
Tangible Personal Property Tax - Health	288	273			7,518	8,079
Tangible Personal Property Tax - Extension	140	133			3,666	3,939
Tangible Personal Property Tax - Ambulance	360	341			9,400	10,101
Tangible Personal Property Tax - School	1,972				51,495	53,467
Tangible Personal Property Tax - City of Irvine	5	232	4,000		3,597	7,834
Tangible Personal Property Tax - City of Ravenna		136			1,176	1,312
Delinquent Tax - County	890				224	1,114
Delinquent Real Property Tax - County Attorney					513	513
Delinquent Real Property Tax - Sheriff					251	251
Delinquent Real Property Tax - School					1,157	1,157
Delinquent Real Property Tax - Library					292	292
Delinquent Real Property Tax - Extension					158	158
Delinquent Real Property Tax - Health					186	186
Delinquent Real Property Tax - Ambulance					232	232
Delinquent Real Property Tax - Soil					35	35
County-						
Deed Transfer Tax	3,450				5,335	8,785
Storage Fees			27,030	23,090	4,940	55,060
Payroll Reimbursement for 3/29/24					7,249	7,249
State -						
Tangible Personal Property Tax		3,011			48,134	51,145
License Fees - KYTC		7,889	9,175		89,152	106,216
Usage Tax					14,167	14,167
Affordable Housing				2,154	2,718	4,872
Legal Process					910	910
Delinquent Tax					275	275
<b>Total Due Districts 2020-March 2024</b>	<b>\$ 13,376</b>	<b>\$ 12,500</b>	<b>\$ 40,205</b>	<b>\$ 30,399</b>	<b>\$ 266,142</b>	<b>\$ 362,622</b>