Form **990-PF**

Department of the Treasury
Internal Revenue Service

Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements

OMB No 1545-0052

2010

For calendar year 2010, or tax year beginning , 2010, and ending , 20

G Check all that apply ☐ Initial return ☐ Initial return of a former public charity ☐ Final return
☐ Amended return ☐ Address change ☐ Name change

Name of foundation
ROBERT A. & DIANE JAYE FOUNDATION CHARITABLE TRUST

A Employer identification number 04-6718853

Number and street (or P O box number if mail is not delivered to street address) Room/suite
C/O ROBERT JAYE
17 CROFTDALE ROAD

B Telephone number (see page 10 of the instructions) ( ) -

City or town, state, and ZIP code
NEWTON, MA 02459

C If exemption application is pending, check here ▶ ☐
D 1 Foreign organizations, check here ▶ ☐
2 Foreign organizations meeting the 85% test, check here and attach computation ▶ ☐
E If private foundation status was terminated under section 507(b)(1)(A), check here ▶ ☐
F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ▶ ☐

H Check type of organization ☐ Section 501(c)(3) exempt private foundation
☒ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation

I Fair market value of all assets at end of year *(from Part II, col (c), line 16)* ▶ $ 665,054.

J Accounting method ☒ Cash ☐ Accrual
☐ Other (specify)
(Part I, column (d) must be on cash basis)

Part I Analysis of Revenue and Expenses *(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see page 11 of the instructions))*

		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
Revenue	1 Contributions, gifts, grants etc , received (attach schedule)	0.			
	2 Check ▶ ☐ if the foundation is **not** required to attach Sch B				
	3 Interest on savings and temporary cash investments				
	4 Dividends and interest from securities	18,468.	18,468.	18,468.	ATCH 1
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain or (loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a 190,000.				
	7 Capital gain net income (from Part IV, line 2)				
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
	b Less Cost of goods sold				
	c Gross profit or (loss) (attach schedule)				
	11 Other income (attach schedule)				
	12 **Total.** Add lines 1 through 11	18,468.	18,468.	18,468.	
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees, etc				
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach schedule) ATCH 2	1,948.	1,948.		
	c Other professional fees (attach schedule)				
	17 Interest				
	18 Taxes (attach schedule) (see page 14 of the instructions)	289.	35.		
	19 Depreciation (attach schedule) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
	23 Other expenses (attach schedule)				
	24 **Total operating and administrative expenses.** Add lines 13 through 23	2,237.	1,983.		
	25 Contributions, gifts, grants paid	42,514.			42,514.
	26 **Total expenses and disbursements.** Add lines 24 and 25	44,751.	1,983.		42,514.
	27 Subtract line 26 from line 12				
	a **Excess of revenue over expenses and disbursements**	-26,283.			
	b **Net investment income** (if negative, enter -0-)		16,485.		
	c **Adjusted net income** (if negative, enter -0-)			18,468.	

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Part II Balance Sheets Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)

		Beginning of year (a) Book Value	End of year (b) Book Value	End of year (c) Fair Market Value
Assets	1 Cash - non-interest-bearing	225,488.	18,243.	18,243.
	2 Savings and temporary cash investments			
	3 Accounts receivable ▶			
	Less allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see page 15 of the instructions)			
	7 Other notes and loans receivable (attach schedule) ▶			
	Less allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges			
	10 a Investments - U S and state government obligations (attach schedule)			
	b Investments - corporate stock (attach schedule) ATCH 3	357,061.	516,380.	468,316.
	c Investments - corporate bonds (attach schedule) ATCH 4	262,694.	172,694.	178,495.
	11 Investments - land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
	12 Investments - mortgage loans			
	13 Investments - other (attach schedule)			
	14 Land, buildings, and equipment basis ▶			
	Less accumulated depreciation (attach schedule) ▶			
	15 Other assets (describe ▶)			
	16 Total assets (to be completed by all filers - see the instructions Also, see page 1, item I)	845,243.	707,317.	665,054.
Liabilities	17 Accounts payable and accrued expenses			
	18 Grants payable			
	19 Deferred revenue			
	20 Loans from officers, directors, trustees, and other disqualified persons			
	21 Mortgages and other notes payable (attach schedule)			
	22 Other liabilities (describe ▶)			
	23 Total liabilities (add lines 17 through 22)		0.	
Net Assets or Fund Balances	**Foundations that follow SFAS 117, check here ▶ ☐ and complete lines 24 through 26 and lines 30 and 31.**			
	24 Unrestricted			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31. ▶ X			
	27 Capital stock, trust principal, or current funds			
	28 Paid-in or capital surplus, or land, bldg , and equipment fund			
	29 Retained earnings, accumulated income, endowment, or other funds			
	30 Total net assets or fund balances (see page 17 of the instructions)	845,243.	818,960.	
	31 Total liabilities and net assets/fund balances (see page 17 of the instructions)	845,243.	818,960.	

Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	845,243.
2	Enter amount from Part I, line 27a	2	-26,283.
3	Other increases not included in line 2 (itemize) ▶	3	
4	Add lines 1, 2, and 3	4	818,960.
5	Decreases not included in line 2 (itemize) ▶	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	818,960.

Part IV Capital Gains and Losses for Tax on Investment Income

	(a) List and describe the kind(s) of property sold (e g , real estate, 2-story brick warehouse, or common stock, 200 shs MLC Co)	(b) How acquired P-Purchase D-Donation	(c) Date acquired (mo , day, yr)	(d) Date sold (mo , day, yr)
1a				
b				
c				
d				
e				

	(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a				
b				
c				
d				
e				

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69				
	(i) F M V as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col (i) over col (j), if any	(l) Gains (Col (h) gain minus col (k), but not less than -0-) or Losses (from col (h))
a				
b				
c				
d				
e				

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 / If (loss), enter -0- in Part I, line 7 } **2**

3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6)
If gain, also enter in Part I, line 8, column (c) (see pages 13 and 17 of the instructions)
If (loss), enter -0- in Part I, line 8 **3**

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income)

If section 4940(d)(2) applies, leave this part blank

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No
If "Yes," the foundation does not qualify under section 4940(e) Do not complete this part

1 Enter the appropriate amount in each column for each year, see page 18 of the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col (b) divided by col (c))
2009	77,805.	748,652.	0.103927
2008	21,818.	853,760.	0.025555
2007	61,126.	986,467.	0.061965
2006	52,667.	977,936.	0.053855
2005	61,666.	972,758.	0.063393

2	**Total** of line 1, column (d)	2	0.308695
3	Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	0.061739
4	Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	655,078.
5	Multiply line 4 by line 3	5	40,444.
6	Enter 1% of net investment income (1% of Part I, line 27b)	6	165.
7	Add lines 5 and 6	7	40,609.
8	Enter qualifying distributions from Part XII, line 4	8	42,514.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate See the Part VI instructions on page 18

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see page 18 of the instructions)

1a	Exempt operating foundations described in section 4940(d)(2), check here ▶ [ ] and enter "N/A" on line 1 . . . Date of ruling or determination letter ____________ (attach copy of ruling letter if necessary - see instructions)		
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here ▶ [X] and enter 1% of Part I, line 27b	1	165.
c	All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, col (b)		
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	2	
3	Add lines 1 and 2	3	165.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)	4	0.
5	**Tax based on investment income.** Subtract line 4 from line 3 If zero or less, enter -0-	5	165.
6	Credits/Payments		
a	2010 estimated tax payments and 2009 overpayment credited to 2010 — 6a: 0.		
b	Exempt foreign organizations-tax withheld at source — 6b: 0.		
c	Tax paid with application for extension of time to file (Form 8868) — 6c: 0.		
d	Backup withholding erroneously withheld — 6d:		
7	Total credits and payments Add lines 6a through 6d	7	0.
8	Enter any **penalty** for underpayment of estimated tax Check here [ ] if Form 2220 is attached	8	
9	**Tax due.** If the total of lines 5 and 8 is more than line 7, enter **amount owed** ▶	9	165.
10	**Overpayment.** If line 7 is more than the total of lines 5 and 8, enter the **amount overpaid** ▶	10	
11	Enter the amount of line 10 to be **Credited to 2011 estimated tax** ▶ 0. **Refunded** ▶	11	

Part VII-A Statements Regarding Activities

			Yes	No
1a	During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?	1a		X
b	Did it spend more than $100 during the year (either directly or indirectly) for political purposes (see page 19 of the instructions for definition)? *If the answer is "Yes" to **1a** or **1b**, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities*	1b		X
c	Did the foundation file **Form 1120-POL** for this year?	1c		
d	Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year (1) On the foundation ▶$ ______ (2) On foundation managers ▶ $ ______			
e	Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ $ ______			
2	Has the foundation engaged in any activities that have not previously been reported to the IRS? *If "Yes," attach a detailed description of the activities*	2		X
3	Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? *If "Yes," attach a conformed copy of the changes*	3		X
4a	Did the foundation have unrelated business gross income of $1,000 or more during the year?	4a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	4b		X
5	Was there a liquidation, termination, dissolution, or substantial contraction during the year? *If "Yes," attach the statement required by General Instruction T*	5		X
6	Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	6	X	
7	Did the foundation have at least $5,000 in assets at any time during the year? *If "Yes," complete Part II, col (c), and Part XV*	7		
8a	Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) ▶ MA,			
b	If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by *General Instruction G? If "No," attach explanation*	8b	X	
9	Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2010 or the taxable year beginning in 2010 (see instructions for Part XIV on page 27)? *If "Yes," complete Part XIV*	9		X
10	Did any persons become substantial contributors during the tax year? *If "Yes," attach a schedule listing their names and addresses*	10		X

Part VII-A Statements Regarding Activities *(continued)*

		Line	Yes	No
11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see page 20 of the instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application?	13	X	

Website address ▶ N/A

14 The books are in care of ▶ ROBERT A. JAYE Telephone no ▶

Located at ▶ 17 CROFTDALE ROAD NEWTON, MA ZIP + 4 ▶ 02459

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of **Form 1041** - Check here ▶ ☐

and enter the amount of tax-exempt interest received or accrued during the year ▶ | 15 |

		Line	Yes	No
16	At any time during calendar year 2010, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country?	16		
	See page 20 of the instructions for exceptions and filing requirements for Form TD F 90-22 1 If "Yes," enter the name of the foreign country ▶			

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

			Line	Yes	No
1a	During the year did the foundation (either directly or indirectly)				
	(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	☐ Yes ☒ No			
	(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	☐ Yes ☒ No			
	(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	☐ Yes ☒ No			
	(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	☐ Yes ☒ No			
	(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	☐ Yes ☒ No			
	(6) Agree to pay money or property to a government official? (**Exception.** Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days)	☐ Yes ☒ No			
b	If any answer is "Yes" to 1a(1)-(6), did **any** of the acts fail to qualify under the exceptions described in Regulations section 53 4941(d)-3 or in a current notice regarding disaster assistance (see page 22 of the instructions)?		1b		
	Organizations relying on a current notice regarding disaster assistance check here ▶ ☐				
c	Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2010?		1c		X
2	Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))				
a	At the end of tax year 2010, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2010?	☐ Yes ☒ No			
	If "Yes," list the years ▶ ______, ______, ______, ______				
b	Are there any years listed in 2a for which the foundation is **not** applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see page 22 of the instructions)		2b		X
c	If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here ▶ ______, ______, ______, ______				
3a	Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	☐ Yes ☒ No			
b	If "Yes," did it have excess business holdings in 2010 as a result of **(1)** any purchase by the foundation or disqualified persons after May 26, 1969, **(2)** the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest, or **(3)** the lapse of the 10-, 15-, or 20-year first phase holding period? *(Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2010)*		3b		
4a	Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a		X
b	Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2010?		4b		X

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required *(continued)*

5a During the year did the foundation pay or incur any amount to
(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No
(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No
(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No
(4) Provide a grant to an organization other than a charitable, etc, organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see page 22 of the instructions) ☐ Yes ☒ No
(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53 4945 or in a current notice regarding disaster assistance (see page 22 of the instructions)? **5b**
Organizations relying on a current notice regarding disaster assistance check here ▶ ☐

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? ☐ Yes ☐ No
If "Yes," attach the statement required by Regulations section 53 4945-5(d)

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☐ No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? **6b**
If "Yes" to 6b, file Form 8870

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? **7b**

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation (see page 22 of the instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
ROBERT JAYE NEWTON, MA	TRUSTEE	-0-	-0-	-0-

2 Compensation of five highest-paid employees (other than those included on line 1 - see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each employee paid more than $50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over $50,000 ▶

Part VIII **Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors** *(continued)*

3 Five highest-paid independent contractors for professional services (see page 23 of the instructions). If none, enter "NONE."

(a) Name and address of each person paid more than $50,000	(b) Type of service	(c) Compensation
ATTACHMENT 5		
Total number of others receiving over $50,000 for professional services ▶		NONE

Part IX-A **Summary of Direct Charitable Activities**

List the foundation's four largest direct charitable activities during the tax year Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc	Expenses
1 N/A	
2	
3	
4	

Part IX-B **Summary of Program-Related Investments** (see page 24 of the instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2	Amount
1 NONE	
2	
All other program-related investments See page 24 of the instructions	
3 NONE	
Total. Add lines 1 through 3 ▶	

Part X Minimum Investment Return (All domestic foundations must complete this part Foreign foundations, see page 24 of the instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc, purposes		
a	Average monthly fair market value of securities	1a	646,811.
b	Average of monthly cash balances	1b	18,243.
c	Fair market value of all other assets (see page 25 of the instructions)	1c	0.
d	**Total** (add lines 1a, b, and c)	1d	665,054.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation) 1e		
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	665,054.
4	Cash deemed held for charitable activities Enter 1 1/2 % of line 3 (for greater amount, see page 25 of the instructions)	4	9,976.
5	**Net value of noncharitable-use assets.** Subtract line 4 from line 3 Enter here and on Part V, line 4	5	655,078.
6	**Minimum investment return.** Enter 5% of line 5	6	32,754.

Part XI Distributable Amount (see page 25 of the instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ▶ ☐ and do not complete this part)

1	Minimum investment return from Part X, line 6			1	32,754.
2a	Tax on investment income for 2010 from Part VI, line 5	2a	165.		
b	Income tax for 2010 (This does not include the tax from Part VI)	2b			
c	Add lines 2a and 2b			2c	165.
3	Distributable amount before adjustments Subtract line 2c from line 1			3	32,589.
4	Recoveries of amounts treated as qualifying distributions			4	
5	Add lines 3 and 4			5	32,589.
6	Deduction from distributable amount (see page 25 of the instructions)			6	
7	**Distributable amount** as adjusted Subtract line 6 from line 5 Enter here and on Part XIII, line 1			7	32,589.

Part XII Qualifying Distributions (see page 25 of the instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc, purposes		
a	Expenses, contributions, gifts, etc - total from Part I, column (d), line 26	1a	42,514.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc, purposes	2	0.
3	Amounts set aside for specific charitable projects that satisfy the		
a	Suitability test (prior IRS approval required)	3a	0.
b	Cash distribution test (attach the required schedule)	3b	0.
4	**Qualifying distributions.** Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	42,514.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income Enter 1% of Part I, line 27b (see page 26 of the instructions)	5	165.
6	**Adjusted qualifying distributions.** Subtract line 5 from line 4	6	42,349.

Note: The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years

Part XIII Undistributed Income (see page 26 of the instructions)

	(a) Corpus	(b) Years prior to 2009	(c) 2009	(d) 2010
1 Distributable amount for 2010 from Part XI, line 7				32,589.
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only				
b Total for prior years 20 08 ,20 07 ,20 06				
3 Excess distributions carryover, if any, to 2010				
a From 2005 ... 13,980.				
b From 2006 ... 4,925.				
c From 2007 ... 12,610.				
d From 2008 ...				
e From 2009 ... 40,626.				
f Total of lines 3a through e	72,141.			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ $ 42,514.				
a Applied to 2009, but not more than line 2a				
b Applied to undistributed income of prior years (Election required - see page 26 of the instructions)				
c Treated as distributions out of corpus (Election required - see page 26 of the instructions)				
d Applied to 2010 distributable amount				32,589.
e Remaining amount distributed out of corpus	9,925.			
5 Excess distributions carryover applied to 2010 *(If an amount appears in column (d), the same amount must be shown in column (a).)*				
6 **Enter the net total of each column as indicated below:**				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	82,066.			
b Prior years' undistributed income Subtract line 4b from line 2b				
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed				
d Subtract line 6c from line 6b Taxable amount - see page 27 of the instructions				
e Undistributed income for 2009 Subtract line 4a from line 2a Taxable amount - see page 27 of the instructions				
f Undistributed income for 2010 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2011				
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see page 27 of the instructions)				
8 Excess distributions carryover from 2005 not applied on line 5 or line 7 (see page 27 of the instructions)	13,980.			
9 **Excess distributions carryover to 2011.** Subtract lines 7 and 8 from line 6a	68,086.			
10 Analysis of line 9				
a Excess from 2006 ... 4,925.				
b Excess from 2007 ... 12,610.				
c Excess from 2008 ...				
d Excess from 2009 ... 40,626.				
e Excess from 2010 ... 9,925.				

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9) NOT APPLICABLE

1a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2010, enter the date of the ruling ▶

b Check box to indicate whether the foundation is a private operating foundation described in section [ ] 4942(j)(3) or [ ] 4942(j)(5)

	Tax year (a) 2010	Prior 3 years (b) 2009	(c) 2008	(d) 2007	(e) Total
2a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon					
a "Assets" alternative test - enter					
(1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test-enter 2/3 of minimum investment return shown in Part X line 6 for each year listed					
c "Support" alternative test - enter					
(1) Total support other than gross investment income (interest dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942 (j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV Supplementary Information (Complete this part only if the foundation had $5,000 or more in assets at any time during the year - see page 28 of the instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than $5,000) (See section 507(d)(2))

N/A

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest

N/A

2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here ▶ [X] if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds If the foundation makes gifts, grants, etc (see page 28 of the instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

a The name, address, and telephone number of the person to whom applications should be addressed

b The form in which applications should be submitted and information and materials they should include

c Any submission deadlines

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

Part XV Supplementary Information (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
a *Paid during the year*				
ATTACHMENT 6				
Total ▶ 3a				42,514.
b *Approved for future payment*				
Total ▶ 3b				

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated	Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See page 28 of the instructions)
	(a) Business code	(b) Amount	(c) Exclusion code	(d) Amount	
1 Program service revenue					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments					
4 Dividends and interest from securities			14		
5 Net rental income or (loss) from real estate					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income					
8 Gain or (loss) from sales of assets other than inventory			18		
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue a					
b					
c					
d					
e					
12 Subtotal Add columns (b), (d), and (e)					

13 Total. Add line 12, columns (b), (d), and (e) . . . 13 ______

(See worksheet in line 13 instructions on page 29 to verify calculations)

Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes

Line No. ▼	Explain below how each activity for which income is reported in column (e) of Part XVI-A contributed importantly to the accomplishment of the foundation's exempt purposes (other than by providing funds for such purposes) (See page 29 of the instructions)

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

			Yes	No
1	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?			
a	Transfers from the reporting foundation to a noncharitable exempt organization of			
	(1) Cash	1a(1)		X
	(2) Other assets	1a(2)		X
b	Other transactions			
	(1) Sales of assets to a noncharitable exempt organization	1b(1)		X
	(2) Purchases of assets from a noncharitable exempt organization	1b(2)		X
	(3) Rental of facilities, equipment, or other assets	1b(3)		X
	(4) Reimbursement arrangements	1b(4)		X
	(5) Loans or loan guarantees	1b(5)		X
	(6) Performance of services or membership or fundraising solicitations	1b(6)		X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c		X

d If the answer to any of the above is "Yes," complete the following schedule Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received

(a) Line no	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements
	N/A		N/A

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule

(a) Name of organization	(b) Type of organization	(c) Description of relationship

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than taxpayer or fiduciary) is based on all information of which preparer has any knowledge

Robert A Junge — Signature of officer or trustee | 5/14/11 — Date | President — Title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check if self-employed	PTIN
Allan P. Maltz	Allan P. Maltz	05/10/11	X	P01392458

Firm's name ▶ ALLAN P. MALTZ — Firm's EIN ▶

Firm's address ▶ 81-09 156TH AVE. HOWARD BEACH, NY 11414 — Phone no

ATTACHMENT 1

FORM 990PF, PART I - DIVIDENDS AND INTEREST FROM SECURITIES

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS	NET INVESTMENT INCOME	ADJUSTED NET INCOME
UBS FINANCIAL		18,468.	18,468.	18,468.
	TOTAL	18,468.	18,468.	18,468.

FORM 990PF, PART I - ACCOUNTING FEES

DESCRIPTION		REVENUE AND EXPENSES PER BOOKS
DORFMAN & ASSOC		
	TOTALS	

ATTACHMENT 3

FORM 990PF, PART II - CORPORATE STOCK

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
MERRILL LYNCH PFD BAC	25,000.	23,880.
UBS AG PFD	45,495.	30,456.
SIMON PPTY GR		
EATON VANCE		
RET OF CAP SIMON PPTY		
A T & T	90,185.	88,140.
CVS	31,605.	34,770.
EXXON MOBIL		
GENERAL ELECTRIC		
THORNBURG MORTGAGE PFD	28,133.	80.
DEUTSCHE BANK CONTGNT		
PERPETUAL CALLABLE-BANK OF AME	25,000.	25,810.
ABBOTT LABS+	52,054.	47,910.
DUKE ENERGY	36,061.	35,620.
NEXTERA ENERGY	53,359.	51,990.
PEPSICO INC	66,393.	65,330.
PROCTER & GAMBLE	63,095.	64,330.
TOTALS	516,380.	468,316.

FORM 990PF, PART II - CORPORATE BONDS

DESCRIPTION	ENDING BOOK VALUE	ENDING FMV
CITIGROUP GLOBAL MARKETS NOTES		
GMAC SMARTNOTES		
HOUSEHOLD FINANCIAL NOTES		
DOW CHEMICAL CO NOTES		
JOHN HANCOCK NOTES		
BRISTOL MYERS SQUIBB NOTES		
WASHINGTON MUTUAL NOTES	49,891.	54,250.
FORD MOTOR CREDIT NOTES		
PRINCIPAL LIFE NOTES		
CAPITAL ONE BANK CD		
COLUMBUS BANK CD		
BANK OF BARODA CD		
INTERNATIONAL LEASE FIN		
PACIFIC CAP BK NT		
GOLDMAN SACHS		
CAPITAL ONE USA		
COMMUNITY BK NV		
WESTERN BANK		
CHARTER BANK		
AMERICAN EXP	22,803.	26,741.
BARCLAYS BANK	25,000.	24,337.
DOW CHEMICAL	25,000.	24,381.
GE CAPITAL	25,000.	24,343.
BANK OF AMERICA NTS	25,000.	24,443.
TOTALS	172,694.	178,495.

990PF, PART VIII- COMPENSATION OF THE FIVE HIGHEST PAID PROFESSIONALS

ATTACHMENT 5

NAME AND ADDRESS	TYPE OF SERVICE	COMPENSATION
DORFMAN & ASSOC 555 ROUTE ONE SOUTH ISELIN, NJ 08830	ACCOUNTING	
TOTAL COMPENSATION		

FORM 990PF, PART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

ATTACHMENT 6

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
S UNDER $1,000. VARIOUS, MA	NONE	GENERAL PURPOSES	
SOLOMON SCHECHTER DAY SCHOOL BOSTON, MA	NONE	GENERAL PURPOSES	
RODMAN RIDE BOSTON, MA	NONE	GENERAL PURPOSE	
PAN MASTER JIMMY FUND BOSTON, MA	NONE	GENERAL PERPOSES	
BOSTON UNIVERSITY BOSTON, MA	NONE	GENERAL PURPOSES	
CONGREGATION MISHKIN TEFILA NEWTON, MA	NONE	GENERAL PURPOSES	

FORM 990PF, PART XV - GRANTS AND CONTRIBUTIONS PAID DURING THE YEAR

ATTACHMENT 6 (CONT'D)

RECIPIENT NAME AND ADDRESS	RELATIONSHIP TO SUBSTANTIAL CONTRIBUTOR AND FOUNDATION STATUS OF RECIPIENT	PURPOSE OF GRANT OR CONTRIBUTION	AMOUNT
SCHEDULE ATTACHED			42,514.
		TOTAL CONTRIBUTIONS PAID	42,514.

Diagnostic Report

Tax Year : 2010 **Return No:** 91534U
Taxpayer: ROBERT A. & DIANE JAYE FOUNDATION CHARITABLE
ID No : 04-6718853

SEVERE DIAGNOSTICS : TOTAL 2

FEDERAL (2)

1.FORM 990PF, PART I - REVENUE
LINE 12, COLUMN (A), OF PART I DOES NOT RECONCILE WITH LINE 13, PART XVI-A. VERIFY THE AMOUNTS USING THE WORKSHEET IN THE 990PF INSTRUCTION FOR LINE 13.

2.FORM 990PF, PART II - BALANCE SHEET
LINE 16, TOTAL ASSETS DOES NOT AGREE WITH LINE 31, TOTAL LIABILITIES AND NET ASSETS/FUND BALANCES.

INFORMATIONAL DIAGNOSTICS : TOTAL 2

FEDERAL (2)

3.FORM 990PF - ADJUSTED QUALIFYING DISTRIBUTION
PLEASE REVIEW THE DOLLAR AMOUNT FOR ADJUSTED QUALIFYING DISTRIBUTION IN PART V, TO ENSURE IT IS CONSISTENT WITH PART XII, LINE 6 FROM THE PRIOR YEAR RETURN.

4.FORM 2220
THE FORM 2220 WILL NOT PRINT PER YOUR UNDERPAYMENT PENALTY COMPUTE OPTION

* indicates Diagnostic has been suppressed

Override Summary Report

Tax Year : 2010 **Return No:** 91534U
Taxpayer: ROBERT A. & DIANE JAYE FOUNDATION CHARITABLE
ID No : 04-6718853

Screen Name	Override Data	Automatic/Computed Data
990-PF, PAGE 2	818,960.	NONE
990-PF, PAGE 2	845,243.	
COMPUTE OPTIONS	2	1
OFFICERS, DIRECTORS (990PF	MA	
OFFICERS, DIRECTORS (990PF	NEWTON	
PENALTY OPTIONS	5	1

Organizer Override Summary Report

Tax Year : 2010 **Return No:** 91534U
Taxpayer: ROBERT A. & DIANE JAYE FOUNDATION CHARITABLE
ID No : 04-6718853

Screen Name	Override Data
PREPARER INFORMATION	[redacted]

Realized gains and losses

Estimated 2010 gains and losses for transactions with trade dates through 12/31/10 have been incorporated into this statement To calculate gains and losses, we liquidate the oldest security lot first This is known as the first-in, first-out or FIFO accounting method We use this method unless you specified which tax lot to close when you placed your order This is known as a versus purchases or VSP order *See Important information about your statement* on the last page of this statement for more information

We may not adjust gains and losses for all capital changes Cost basis for coupon tax-exempt municipal securities, include securities subject to AMT, has been adjusted for mandatory amortization of bond premium Estimates in the Unclassified section can not be classified as short term or long term because information is missing, or the product is one in which the gain/loss calculation is not provided

Short-term capital gains and losses

Security description	Method	Quantity or face value ($)	Purchase date	Sale date	Sale amount ($)	Purchase amount ($)	Loss ($)	Gain ($)	Net gain or loss ($)
CHARTER BANK NM US RT 01 0000% MAT 05/06/10 FIXED RATE CD	FIFO	15,000 000	Apr 29, 09	Jan 22, 10	15,000 00	15,000 00			0 00

Long-term capital gains and losses

Security description	Method	Quantity or face value ($)	Purchase date	Sale date	Sale amount ($)	Purchase amount ($)	Loss ($)	Gain ($)	Net gain or loss ($)
CAPITAL ONE USA RT 04 0000% MAT 05/19/10 FIXED RATE CD	FIFO	50,000 000	Nov 13, 08	May 19, 10	50,000 00	50,000 00			
WESTERNBANK PR RT 02 0500% MAT 02/01/10 FIXED RATE CD	FIFO	50,000 000	Jan 23, 09	Feb 01, 10	50,000 00	50,000 00			
GENL MOTORS ACCEPT NTS 02 440% 081610 DTD081203 FLT VS3MO T-BILL +225BPS	FIFO	25,000 000	Aug 06, 03	Aug 16, 10	25,000 00	25,000 00			
INTERNATIONAL LEASE FIN 05 400% 061510 DTD062608 FC121508 NTS	FIFO	50,000 000	Jun 17, 08	Jun 15, 10	50,000 00	50,000 00			
Total					**$175,000.00**	**$175,000.00**			**0.00**
Net capital gains/losses:									**$0.00**

2010 Year End Summary

UBS

UBS Financial Services Inc
5285 E WILLIAMS CIRCLE
SUITE 5500
TUCSON AZ 85711-7475

APZ6001858099 1210 TU 1

Duplicate statement for the account of:
ROBERT A JAYE, BARRY M JAYE &
DAVID A JAYE CO-TTEES ROBERT
JAYE & DIANE JAYE FOUNDATION
CHARITABLE TR UAD 10/13/92
17 CROFTDALE ROAD
NEWTON MA 02459-2039
Account number TU 56643 36

ALLAN P MALTZ
81-09 156TH AVE
HOWARD BEACH NY 11414-2321

Your Financial Advisor:
LANGER/ROTTENSTEIN WEALTH MGMT
Phone 520-750-7500/800-235-0450

Summary of banking activity

	Year to date ($)
Checks	44,751 00

Summary of gains and losses

	Amount ($)
Short term	0 00
Long term	0 00
Total	**$0.00**

Checks

Check number	Date cleared	Description	Amount ($)
000178	Oct 21, 10	SSDS LIBRARY	18 00
000182	Oct 21, 10	SSDS LIBRARY	20 00
001726	Jan 4, 10	CAMP AVODA	50 00
001745	Jan 14, 10	MORSE POND SCH	100 00
001749	Jan 11, 10	SSDS LIBRARY	36 00
001750	Jan 25, 10	CMT	100 00
001751	Jan 25, 10	CJP	100 00
001753	Feb 1, 10	AVON BREAST CANCER	25 00

Check number	Date cleared	Description	Amount ($)
001754	Mar 25, 10	SSDS LIBRARY	18 00
001755	Feb 2, 10	PLANNED PARENTHOOD PPLM	100 00
001756	Mar 4, 10	TUFTS MED CTR	2,500 00
001757	Mar 4, 10	CHILDRENS HOSPITAL BOSTON F	100 00
001758	Mar 16, 10	AMERICAN CANCER SOC	50 00
001759	May 11, 10	SSDS LIBRARY	18 00
001760	May 3, 10	CMT YOUTH	75 00
001761	Apr 29, 10	CMT SISTERHOOD	75 00

continued next page

UBS

Account name: ROBERT A JAYE, BARRY M JAYE &
Account number: TU 56643 36

Checks (continued)

Check number	Date cleared	Description	Amount ($)
001763	May 3, 10	CMT YOUTH	30 00
001764	May 3, 10	CMT	550 00
001765	Jun 24, 10	SSDS LIBRARY	18 00
001766	May 21, 10	US TREASURY	254 00
001767	May 26, 10	COMMONWEALTH OF MA	35 00
001768	May 21, 10	ALLAN MALTZ	1,948 00
001769	May 24, 10	CMT	5,000 00
001770	Aug 16, 10	PEF - ISRAEL ENDOWMENT FUND	36 00
001771	Jun 14, 10	SSDS	35 00
001773	Jun 18, 10	JEWISH FEDERATION OF N AMER	175 00
001776	Jun 30, 10	CMT	30 00
001777	Jul 16, 10	PMC JIMMY FUND	200 00
001778	Jul 19, 10	PMC JIMMEY FUND	200 00
001779	Jul 16, 10	PMC JIMMY FUND	200 00
001780	Aug 11, 10	WOODS HOLE FILM FESTIVAL	250 00
001781	Sep 10, 10	NEWTON CONSERVATORS	100 00
001784	Sep 15, 10	CHRONS & COLITUS FOUNDATION	100 00
001785	Sep 27, 10	BRIGHT SPIRIT FDN	25 00
001786	Oct 29, 10	FIT ALUMNI ASSN	100 00
001788	Nov 4, 10	RODMAN RIDE FOR KIDS	1,500 00
001789	Oct 25, 10	CMT	100 00
001790	Oct 22, 10	GATEWAYS	180 00
001791	Dec 31, 10	Payee Unrecorded	50 00
001792	Dec 8, 10	BIDMC	2,000 00
001793	Dec 6, 10	BLUE HILL OBSERVATORY	50 00
001794	Dec 16, 10	TRUSTEES OF THE BOSTON UNIV	500 00

Check number	Date cleared	Description	Amount ($)
001795	Dec 1, 10	BROOKLINE MUSIC SCH	750 00
001796	Dec 8, 10	CAMP AVODA	50 00
001797	Dec 15, 10	CHARLES RIVER WATER SHED CT	25 00
001798	Dec 3, 10	CHILDREN'S HOSPITAL	500 00
001799	Dec 3, 10	CJP	15,000 00
001801	Dec 10, 10	MBL	1,000 00
001802	Dec 3, 10	MUSEUM OF SCIENCE	300 00
001803	Dec 1, 10	NEWTON COMM FARM	200 00
001804	Dec 7, 10	NEWTON CONSERVATORS	25 00
001806	Dec 7, 10	SUMMERVILLE MATH FUND	100 00
001807	Nov 30, 10	SEA EDUCATION INST	50 00
001808	Dec 3, 10	SSDS	5,000 00
001809	Dec 13, 10	TUFTS MEDICAL CTR	2,500 00
001810	Dec 22, 10	VILNA SHUL	25 00
001811	Dec 17, 10	WERS	50 00
001812	Dec 14, 10	WGBH	50 00
001813	Dec 7, 10	WH COMM ASSN	250 00
001814	Dec 6, 10	WH LIBRARY	100 00
001815	Dec 9, 10	OCEANOGRAPHIC INSTITUTE	100 00
001816	Dec 3, 10	MORSE POND SCHOOL	100 00
001817	Nov 23, 10	JCC OF GREATER BOSTON	600 00
001819	Dec 31, 10	Payee Unrecorded	500 00
001820	Dec 13, 10	CMT	25 00
001821	Dec 15, 10	PENIKESSE ISLAND SCH	100 00
001822	Dec 21, 10	MBL	300 00
Total			**$44,751.00**
Total Checks			**$44,751.00**

289
1948

2237
42514