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Form 990-PF

Department of the Treasury
Internal Revenue ServiceReturn of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

OMB No 1545-0052

2010

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

For calendar year 2010, or tax year beginning

02-01, 2010, and ending

01-31, 2011

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

M.J.DE LUCIA FOUNDATION

A Employer identification number

13-3794509

Number and street (or P O box number if mail is not delivered to street address)

1199 PARK AVENUE

Room/suite

B Telephone number (see page 10 of the instructions)

City or town, state, and ZIP code

NEW YORK, NY 10128-1711

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 ☐

H Check type of organization

☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust☐ Other taxable private foundationE If private foundation status was terminated under section 507(b)(1)(A), check here ☐

I Fair market value of all assets at

J Accounting method:

☒ Cash☐ Accrual

end of year (from Part II, col. (c),

☐ Other (specify)

line 16) \$ 718,395

(Part I, column (d) must be on cash basis)

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

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)

1 Contributions, gifts, grants, etc., received (attach schedule)

15,220

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

18,803

18,803

5a Gross rents

b Net rental income or (loss)

6a Net gain or (loss) from sale of assets not on line 10

19,630

b Gross sales price for all assets on line 6a 26,833

7 Capital gain net income (from Part IV, line 2)

19,630

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

53,653

38,433

13 Compensation of officers, directors, trustees, etc.

14 Other employee salaries and wages

15 Pension plans, employee benefits

16a Legal fees (attach schedule)

STM108

b Accounting fees (attach schedule)

1,850

925

925

c Other professional fees (attach schedule)

17 Interest

STM110

18 Taxes (attach schedule) (see page 14 of the instructions)

217

217

19 Depreciation (attach schedule) and depletion

20 Occupancy

21 Travel, conferences, and meetings

22 Printing and publications

STM103

23 Other expenses (attach schedule)

4,867

150

4,717

24 Total operating and administrative expenses.

Add lines 13 through 23

6,934

1,292

5,642

25 Contributions, gifts, grants paid

32,226

32,226

26 Total expenses and disbursements. Add lines 24 and 25

39,160

1,292

37,868

27 Subtract line 26 from line 12

a Excess of revenue over expenses and disbursements

14,493

b Net investment income (if negative, enter -0-)

37,141

c Adjusted net income (if negative, enter -0-)

c

For Paperwork Reduction Act Notice, see page 30 of the instructions.

EEA

Form 990-PF (2010)

18P

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	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value			
Assets	1	Cash - non-interest-bearing					
	2	Savings and temporary cash investments	2,278	7,428	7,428		
	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)	556	681	681		
	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					
	10a	Investments - U.S. and state government obligations (attach schedule)					
	b	Investments - corporate stock (attach schedule)	202,995	206,635	710,286		
	c	Investments - corporate bonds (attach schedule)					
	Liabilities	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)	205,829	214,744	718,395		
17		Accounts payable and accrued expenses					
18		Grants payable					
Net Assets or Fund Balances	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	0			
	24	Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.					
	25	Unrestricted					
	26	Temporarily restricted					
	27	Permanently restricted					
	28	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.					
Assets	29	Capital stock, trust principal, or current funds					
	30	Paid-in or capital surplus, or land, bldg, and equipment fund	5,320	5,320			
	31	Retained earnings, accumulated income, endowment, or other funds	200,509	209,424			
	32	Total net assets or fund balances (see page 17 of the instructions)	205,829	214,744			
	33	Total liabilities and net assets/fund balances (see page 17 of the instructions)	205,829	214,744			

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	205,829
2	Enter amount from Part I, line 27a	2	14,493
3	Other increases not included in line 2 (itemize)	3	1
4	Add lines 1, 2, and 3	4	220,323
5	Decreases not included in line 2 (itemize)	5	5,579
6	Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	214,744

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 (yr, mo, day)	(d) Date sold (yr, mo, day)
1a	200 AVON PRODUCTS	D	2010-06-22	2010-07-08
b	750 AVON PRODUCTS	D	1995-02-01	2010-11-29
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 5,530		1,420	4,110
b 21,303		5,783	15,520
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			4,110
b			15,520
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	19,630
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	32,038	581,056	0.055138
2008	41,771	737,231	0.056659
2007	48,726	901,313	0.054061
2006	42,359	769,552	0.055044
2005	37,694	784,538	0.048046

2 Total of line 1, column (d)	2	0.268948
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	0.05379
4 Enter the net value of noncharitable-use assets for 2010 from Part X, line 5	4	673,788
5 Multiply line 4 by line 3	5	36,243
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	371
7 Add lines 5 and 6	7	36,614
8 Enter qualifying distributions from Part XII, line 4	8	37,868

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 letter if necessary-see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒	and enter 1% of Part I, line 27b	1	371
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	0
3 Add lines 1 and 2		3	371
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	371
6 Credits/Payments			
a 2010 estimated tax payments and 2009 overpayment credited to 2010	6a		
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c		
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d		7	
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	371
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	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?		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)?		X
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		
c Did the foundation file Form 1120-POL for this year?		X
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		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		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T		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?	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	X	
8a Enter the states to which the foundation reports or with which it is registered (see page 19 of the instructions) <u>NY</u>		
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	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		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	X	

Part VII-A Statements Regarding Activities (continued)

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? Website address N/A	13	X	
14	The books are in care of TAXPAYER Telephone no 1199 PARK AVENUE NEW YORK, NY ZIP+4 10128			
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			
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? 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	16	Yes	No X

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.

	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)? Organizations relying on a current notice regarding disaster assistance check here	1b	
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	
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? If "Yes," list the years	☐ Yes ☒ No	
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	
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)? ☐ Yes ☒ No

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? ☐ Yes ☒ No

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? ☐ Yes ☒ No

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
MARIE J DE LUCIA 1199 PARK AVENUE NEW YORK, NY 10128	PRES. & TREAS. 7	0	0	0
EDWIN L SOLOT 1199 PARK AVENUE NEW YORK, NY 10128	SECRETARY 7	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
NONE		
Total number of others receiving over \$50,000 for professional services		▶

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	
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	
2	
All other program-related investments. See page 24 of the instructions.	
3	
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	678,843
b	Average of monthly cash balances	1b	4,525
c	Fair market value of all other assets (see page 25 of the instructions)	1c	681
d	Total (add lines 1a, b, and c)	1d	684,049
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	684,049
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see page 25 of the instructions)	4	10,261
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	673,788
6	Minimum investment return. Enter 5% of line 5	6	33,689

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	33,689
2a	Tax on investment income for 2010 from Part VI, line 5	2a	371
b	Income tax for 2010 (This does not include the tax from Part VI)	2b	
c	Add lines 2a and 2b	2c	371
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	33,318
4	Recoveries of amounts treated as qualifying distributions	4	
5	Add lines 3 and 4	5	33,318
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	33,318

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	37,868
b	Program-related investments - total from Part IX-B	1b	
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	37,868
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	371
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	37,497

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				33,318
2 Undistributed income, if any, as of the end of 2010				
a Enter amount for 2009 only				
b Total for prior years				
3 Excess distributions carryover, if any, to 2010:				
a From 2005 4,182				
b From 2006 4,127				
c From 2007 5,401				
d From 2008				
e From 2009 3,505				
f Total of lines 3a through e	17,215			
4 Qualifying distributions for 2010 from Part XII, line 4 ▶ \$ 37,868				
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				33,318
e Remaining amount distributed out of corpus . . .	4,550			
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 .	21,765			
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				0
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)	4,182			
9 Excess distributions carryover to 2011. Subtract lines 7 and 8 from line 6a	17,583			
10 Analysis of line 9.				
a Excess from 2006 4,127				
b Excess from 2007 5,401				
c Excess from 2008				
d Excess from 2009 3,505				
e Excess from 2010 4,550				

Part XIV Private Operating Foundations (see page 27 of the instructions and Part VII-A, question 9)

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)
2a	Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
	Tax year	Prior 3 years			(e) Total	
	(a) 2010	(b) 2009	(c) 2008	(d) 2007		
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))

MARIE J. DE LUCIA,

- 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

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

Check here ☒ 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 ALBERTUS MAGNUS COLLEGE		501C3	EDUCATIONAL	1,000
ALL SOULS CHURCH			MEDICAL RESEARCH	100
ALZHEIMERS ASSOC		501C3	MEDICAL RESEARCH	100
AMERICAN HEART ASSOC		501C3	MEDICAL RESEARCH	100
ANNIE EATON SOCIETY		501C3	HISTORICAL RESEARCH	270
ARTHRITIS FOUNDATION		501C3	MEDICAL RESEARCH	100
AVON WALK FOR BREAST CANCER		501C3	MEDICAL RESEARCH	250
BIG APPLE		501C3	CULTURAL	100
Total			3a	
b Approved for future payment				
Total			3b	

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				
BRIGHT BEGINNINGS		501C3	EDUCATIONAL	500
CARNEGIE HILL NEIGHBORS ASSOC		501C3	LANDMARK PRESERVATION	100
CENTRAL PARK CONSERVANCY		501C3	LANDMARK PRESERVATION	500
CHURCH OF ST IGNATIUS		501C3	RELIGIOUS	200
CITY MEALS ON WHEELS		501C3	MEALS DELIVERED TO THE HOMEBOUND	250
CT HOSPICE		501C3	END OF LIFE CARE	100
DOCTORS WITHOUT BORDERS		501C3	MEDICAL AID TO UNDEVELOPED COUNTRIES	1,000
EASTER SEALS		501C3	AID TO DISABLED CHILDREN	225
Total			3a	
b Approved for future payment				
Total			3b	

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 FOOD BANK FOR NYC		501C3	FOOD PROGRAMS FOR THE NEEDY	100
GROUNDSWELL		501C3	BRING TOGETHER ARTISTS TO CREATE MURALS	100
HCM UNICEF CARDS		501C3	AID TO NEEDY CHILDREN	20
HEALTH ADVOCATES FOR THE OLD		501C3	MEDICAL HELP FOR THE ELDERLY	50
HEART AND SOUL CHARITABLE FUND		501C3	AID TO THE NEEDY	350
HSS		501C3	MEDICAL RESEARCH	100
INTERNATIONAL RESCUE COMMITTEE		501C3	AID TO DISASTER REFUGEES	2,000
KEJ MEMORIAL LIBRARY		501C3	CULTURAL	400
Total			3a	
b Approved for future payment				
Total			3b	

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				
KENT AFFORDABLE HOUSING		501C3	FIND HOUSING FOR LOW INCOME FAMILIES	200
KENT CENTER SCHOLARSHIP FUND		501C3	EDUCATIONAL	100
KENT COMMUNITY FUND		501C3	AID NEEDY PEOPLE IN THE COMMUNITY	250
KENT HISTORICAL SOCIETY		501C3	CULTURAL	100
KENT LAND TRUST		501C3	LANDMARK PRESERVATION	250
KENT LIBRARY ASSOC		501C3	CULTURAL	400
KVED		501C3	AID TO FIREFIGHTERS	100
MARBLE COLLEGIATE CHURCH		501C3	RELIGIOUS	350
Total			3a	
b Approved for future payment				
Total			3b	

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				
MEMORIAL SLOAN KETTERING		501C3	MEDICAL RESEARCH	100
MUSEUM OF MODERN ART		501C3	CULTURAL	1,650
MORGAN LIBRARY		501C3	CULTURAL	150
MT SINAI HOSPITAL		501C3	MEDICAL CARE	6
MUSICA VIVA		501C3	CULTURAL	5,200
NATURE CONSERVANCY		501C3	CONSERVATION	100
NEUSE RIVER		501C3	CLEAN WATER PROGRAMS	100
NEW MILFORD HOSPITAL FOUND		501C3	MEDICAL RESEARCH	500
Total			3a	
b Approved for future payment				
Total			3b	

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 NEW SCHOOL UNIVERSITY		501C3	EDUCATION	3,000
NY PHILHARMONIC		501C3	CULTURAL	75
NY PUBLIC LIBRARY		501C3	CULTURAL	2,000
PARALYZED VETS OF AMERICA		501C3	AID TO VETERANS	100
PARTNERS IN HEALTH		501C3	CLINICS FOR THE NEEDY	500
PREP FOR PREP		501C3	EDUCATIONAL OPPORTUNITIES FOR MINORITY STUDENTS	1,250
SALVATION ARMY		501C3	AID TO NEEDY FAMILIES	250
SCOVILLE MEMORIAL LIBRARY		501C3	CULTURAL	50
Total			3a	
b Approved for future payment				
Total			3b	

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				
SHERMAN CHAMBER ENSEMBLE		501C3	CULTURAL	500
SPOP		501C3	HUMANITARIAN	100
ST ANDREWS CHURCH		501C3	RELIGIOUS	50
THE DOE FUND		501C3	HELP THE UNEM- PLOYED FIND JOBS	250
THE READING TEAM		501C3	BOOK DISTRIBUTION TO NEEDY CHILDREN	250
UNICEF CARDS		501C3	AID TO NEEDY CHILDREN	180
UNITARIAN CHURCH		501C3	RELIGIOUS	4,500
US OLYMPIC COMMITTEE		501C3	AID TO OLYMPIC ATHLETES	50
Total			▶ 3a	
b Approved for future payment				
Total			▶ 3b	

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 VFW			AID TO NEEDY VETERANS	100
WHITNEY MUSEUM		501C3	CULTURAL	150
WLIW		501C3	SUPPORT PUBLIC TV	100
WMNR		501C3	CULTURAL	100
WNET		501C3	SUPPORT PUBLIC TV	225
WNYC		501C3	SUPPORT PUBLIC RADIO	250
WOMENS SUPPORT SERVICES	501C3	501C3	AID TO VICTIMS OF DOMESTIC VIOLENCE	100
WOMENS ALLIANCE		501C3	PROGRAMS TO HELP WOMEN OBTAIN JOBS	100
Total			▶	3a
b Approved for future payment				
Total			▶	3b

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				
SUSAN KOMEN FOUNDATION		501C3	BREAST CANCER RESEARCH	100
CSS BROWN BAG PROGRAM		501C3	PROVIDE USED CLOTHING FOR THE NEEDY	325
Total			3a	32,226
b Approved for future payment				
Total			3b	

Enter gross amounts unless otherwise indicated

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

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)
---------------	---

Form 990-PF (2010)

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
	(2) Other assets	1a
b	Other transactions	
	(1) Sales of assets to a noncharitable exempt organization	1b
	(2) Purchases of assets from a noncharitable exempt organization	1b
	(3) Rental of facilities, equipment, or other assets	1b
	(4) Reimbursement arrangements	1b
	(5) Loans or loan guarantees	1b
	(6) Performance of services or membership or fundraising solicitations	1b
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	
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.	

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.

Paid Preparer Use Only	Print/Type preparer's name DAVID WEISS	Preparer's signature 	Date 05-17-2011	Check ☐ if self-employed	PTIN
	Firm's name ▶ DAVID WEISS CPA PLLC			Firm's EIN ▶	
	Firm's address ▶ 183 MADISON AVE SUITE 803 NEW YORK NY 10016			Phone no 212-695-5771	

Schedule B
(Form 990, 990-EZ,
or 990-PF)

Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ Attach to Form 990, 990-EZ, or 990-PF.

OMB No 1545-0047

2010

Name of the organization

Employer identification number

M. J. DE LUCIA FOUNDATION

13-3794509

Organization type (check one)

Filers of:

Section:

Form 990 or 990-EZ

☐ 501(c)() (enter number) organization

☐ 4947(a)(1) nonexempt charitable trust not treated as a private foundation

☐ 527 political organization

Form 990-PF

☒ 501(c)(3) exempt private foundation

☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation

☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.

Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions

General Rule

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use exclusively for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use exclusively for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an exclusively religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year ▶ \$ _____

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it must answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF)

Name of organization

M. J. DE LUCIA FOUNDATION

Employer identification number

13-3794509

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
1	MARIE DE LUCIA 1199 PARK AVENUE NEW YORK, NY 10128	\$ 15,220	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)
		\$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II if there is a noncash contribution)

13-3794509

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
<u>1</u>	525 SHARES AVON PRODUCTS _____ _____ _____	\$ 15,520	06-22-2010
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
_____	_____ _____ _____ _____	\$ _____	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
_____	_____ _____ _____ _____	\$ _____	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
_____	_____ _____ _____ _____	\$ _____	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
_____	_____ _____ _____ _____	\$ _____	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
_____	_____ _____ _____ _____	\$ _____	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
_____	_____ _____ _____ _____	\$ _____	_____

Federal Supporting Statements

2010 PG 01

Employer Identification Number
13-3794509

Name(s) as shown on return

M. J. DE LUCIA FOUNDATION

FORM 990PF, PART I, LINE 23 - OTHER EXPENSES SCHEDULE

STATEMENT #103

DESCRIPTION	REVENUE AND EXPENSES	NET INVESTMENT	ADJUSTED NET INCOME	CHARITABLE PURPOSE
OFFICE EXPENSE	0	0	0	0
LOCAL TRAVEL	225	0	0	225
ADVERTISING	125	0	0	125
BANK CHARGES	150	150	0	0
DUES & SUBSCRIPTIONS	885	0	0	885
FILING FEE	100	0	0	100
MISCELLANEOUS	501	0	0	501
OFFICE SUPPLIES	110	0	0	110
POSTAGE	83	0	0	83
CONSULTING	750	0	0	750
MEALS @ 50%	942	0	0	942
TELEPHONE	996	0	0	996
TOTALS	4,867	150	0	4,717

Federal Supporting Statements

2010 PG 01

Name(s) as shown on return

M. J. DE LUCIA FOUNDATION

Employer Identification Number

13-3794509

STATEMENT #108

FORM 990PF, PART I, LINE 16(B) - ACCOUNTING FEES SCHEDULE

DESCRIPTION	REVENUE AND EXPENSES	NET INVESTMENT	ADJUSTED NET INCOME	CHARITABLE PURPOSE
ACCOUNTING FEES	1,850	925	0	925
TOTALS	1,850	925	0	925

Federal Supporting Statements

2010 PG 01

Employer Identification Number

13-3794509

Name(s) as shown on return

M. J. DE LUCIA FOUNDATION

STATEMENT #110

FORM 990PF, PART I, LINE 18 - TAXES SCHEDULE

DESCRIPTION	REVENUE AND EXPENSES	NET INVESTMENT	ADJUSTED NET INCOME	CHARITABLE PURPOSE
FOREIGN TAXES	217	217	0	0
TOTALS	217	217	0	0

Federal Supporting Statements

2010 PG 01

Name(s) as shown on return

Employer Identification Number

M.J.DE LUCIA FOUNDATION

13-3794509

**FORM 990PF, PART VII-A, LINE 10
SUBSTANTIAL CONTRIBUTORS SCHEDULE**

STATEMENT #114

NAME

MARIE DE LUCIA

ADDRESS

**1199 PARK AVENUE
NEW YORK**

NY 10128

Federal Supporting Statements

2010 PG 01

Name(s) as shown on return

Employer Identification Number

M.J.DE LUCIA FOUNDATION

13-3794509

**FORM 990PF, PART III, LINE 3
OTHER INCREASES SCHEDULE**

STATEMENT #115

ROUNDING _____ 1

TOTAL _____ 1

Federal Supporting Statements**2010 PG 01**

Name(s) as shown on return

Employer Identification Number

M.J.DE LUCIA FOUNDATION**13-3794509****FORM 990PF, PART III, LINE 5
OTHER DECREASES SCHEDULE****STATEMENT #116**

FEDERAL INCOME TAX	260
50% OF MEALS	942
BOOK TO TAX DIFFERENCE	<u>4,377</u>
TOTAL	<u><u>5,579</u></u>

Federal Supporting Statements**2010 PG 01**

Name(s) as shown on return

Employer Identification Number

M. J. DE LUCIA FOUNDATION**13-3794509****FORM 990PF, PART II, LINE 10(B)
INVESTMENTS: CORPORATE STOCK SCHEDULE****STATEMENT #137**

<u>CATEGORY</u>	<u>BOY</u>	<u>BOOK VALUE</u>	<u>EOY FMV</u>
CORPORATE STOCKS			
7750 AVON PRODUCTS	59,752		
5000 MOVADO	25,373	25,373	72,050
2437 PROCTER & GAMBLE	45,625	45,625	153,848
1200 ROYAL DUTCH SHELL	39,295	39,295	85,188
3300 TIFFANY	32,950	32,950	191,829
7325 AVON PRODUCTS		63,392	207,371
TOTALS	202,995	206,635	710,286