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

Department of the Treasury
Internal Revenue Service

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

2012

For calendar year 2012, or tax year beginning , 2012, and ending

THE HOROWITCH FAMILY FOUNDATION
C/O S.J. HOROWITCH 6709 BROOKLAWN
SYRACUSE, NY 13211

A Employer identification number
23-7046081

B Telephone number (see the instructions)
(315) 463-5505

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 ☐

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

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, column (c), line 16) **J** Accounting method ☒ Cash ☐ Accrual
\$ 1,904,651. ☐ 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 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 (att sch)	1,500.			
2 Ck ☒ if the foundn is not req to att Sch B				
3 Interest on savings and temporary cash investments	68.	68.	N/A	
4 Dividends and interest from securities	45,468.	45,468.		
5a Gross rents				
b Net rental income or (loss)				
6a Net gain/(loss) from sale of assets not on line 10	37,547.			
b Gross sales price for all assets on line 6a	476,626.			
7 Capital gain net income (from Part IV, line 2)		37,547.		
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/(loss) (att sch)				
11 Other income (attach schedule)				
See Statement 1	-626.	-626.		
12 Total. Add lines 1 through 11	83,957.	82,457.		
13 Compensation of officers, directors, trustees, etc.	0.			
14 Other employee salaries and wages				
15 Pension plans, employee benefits				
16a Legal fees (attach schedule)				
b Accounting fees (attach sch)	3,200.	3,200.		
c Other prof fees (attach sch)				
17 Interest				
18 Taxes (attach schedule)(see instrs)	1,362.	1,362.		
19 Depreciation (attach sch) and depletion				
20 Occupancy				
21 Travel, conferences, and meetings				
22 Printing and publications				
23 Other expenses (attach schedule)				
See Statement 4	250.	250.		
24 Total operating and administrative expenses. Add lines 13 through 23	4,812.	4,812.		
25 Contributions, gifts, grants paid Part XV	95,750.			95,750.
26 Total expenses and disbursements. Add lines 24 and 25	100,562.	4,812.		95,750.
27 Subtract line 26 from line 12:				
a Excess of revenue over expenses and disbursements	-16,605.			
b Net investment income (if negative, enter -0-)		77,645.		
c Adjusted net income (if negative, enter -0-)				

SCANNED JUN 19 2013
OPERATING AND ADMINISTRATIVE EXPENSES

P 11

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		6,316.	25,083.	25,083.
	2	Savings and temporary cash investments		302,032.	447,952.	447,952.
	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 instructions)				
	7	Other notes and loans receivable (attach sch)				
		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) Statement 5	1,285,730.	934,598.	1,270,156.	
	c	Investments — corporate bonds (attach schedule)				
	11	Investments — land, buildings, and equipment: basis				
	Less: accumulated depreciation (attach schedule)					
12	Investments — mortgage loans					
13	Investments — other (attach schedule) Statement 6	2,384.	172,224.	161,460.		
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)	1,596,462.	1,579,857.	1,904,651.		
LIABILITIES	17	Accounts payable and accrued expenses				
	18	Grants payable				
	19	Deferred revenue				
	20	Loans from officers, directors, trustees, & 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.		
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. ☒					
	27	Capital stock, trust principal, or current funds	20,187.	20,187.		
	28	Paid-in or capital surplus, or land, building, and equipment fund	332,648.	332,648.		
	29	Retained earnings, accumulated income, endowment, or other funds	1,243,627.	1,227,022.		
	30	Total net assets or fund balances (see instructions)	1,596,462.	1,579,857.		
	31	Total liabilities and net assets/fund balances (see instructions)	1,596,462.	1,579,857.		

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	1,596,462.
2	Enter amount from Part I, line 27a	2	-16,605.
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	1,579,857.
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	1,579,857.

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 shares MLC Company)		(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1 a See Statement 7				
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) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	(l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (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 37,547.
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 instructions) If (loss), enter -0- in Part I, line 8		3 -1,402.

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.

(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 (column (b) divided by column (c))
2011	101,880.	1,881,854.	0.054138
2010	88,800.	1,881,758.	0.047190
2009	96,448.	1,712,469.	0.056321
2008	103,286.	1,949,247.	0.052988
2007	91,800.	2,207,399.	0.041587
2 Total of line 1, column (d)			2 0.252224
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 0.050445
4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5			4 1,861,592.
5 Multiply line 4 by line 3			5 93,908.
6 Enter 1% of net investment income (1% of Part I, line 27b)			6 776.
7 Add lines 5 and 6			7 94,684.
8 Enter qualifying distributions from Part XII, line 4			8 95,750.

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.

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Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 – see instructions)

1 a 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 instrs)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b		1	776.
c All other domestic foundations enter 2% of line 27b Exempt foreign organizations enter 4% of Part I, line 12, column (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	776.
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	776.
6 Credits/Payments:			
a 2012 estimated tax pmts and 2011 overpayment credited to 2012	6 a	632.	
b Exempt foreign organizations – tax withheld at source	6 b		
c Tax paid with application for extension of time to file (Form 8868)	6 c	920.	
d Backup withholding erroneously withheld	6 d		
7 Total credits and payments Add lines 6a through 6d	7	1,552.	
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	0.	
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	776.	
11 Enter the amount of line 10 to be Credited to 2013 estimated tax	11	776. Refunded	0.

Part VII-A Statements Regarding Activities

	Yes	No
1 a 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 the instructions for definition)? <i>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.</i>		X
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 ▶ \$ 0. (2) On foundation managers ▶ \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers ▶ \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If 'Yes,' attach a detailed description of the activities</i>		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? <i>If 'Yes,' attach a conformed copy of the changes</i>		X
4 a 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?		N/A
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If 'Yes,' attach the statement required by General Instruction T</i>		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? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>	X	
8 a Enter the states to which the foundation reports or with which it is registered (see instructions) NY		
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? <i>If 'No,' attach explanation</i>	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 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? <i>If 'Yes,' complete Part XIV</i>		X
10 Did any persons become substantial contributors during the tax year? <i>If 'Yes,' attach a schedule listing their names and addresses</i>		X

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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 instructions)	11		X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If 'Yes,' attach statement (see instructions)	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address <u>N/A</u>	13	X	
14	The books are in care of <u>SHELDON J. HOROWITCH</u> Telephone no <u>315/463-5505</u> Located at <u>6709 BROOKLAWN PARKWAY SYRACUSE NY</u> ZIP + 4 <u>13211</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <u>N/A</u> and enter the amount of tax-exempt interest received or accrued during the year <u>15</u> <u>N/A</u>			
16	At any time during calendar year 2012, 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 the instructions for exceptions and filing requirements for Form TD F 90-22.1 If 'Yes,' enter the name of the foreign country <u></u>	16		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
1 a 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 instructions)? Organizations relying on a current notice regarding disaster assistance check here <u></u>	1 b	N/A
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 2012?	1 c	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 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2012? If 'Yes,' list the years <u>20</u> , <u>20</u> , <u>20</u> , <u>20</u>	☐ 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 instructions)	2 b	N/A
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here <u>20</u> , <u>20</u> , <u>20</u> , <u>20</u>		
3 a 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 2012 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 2012)	3 b	N/A
4 a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4 a	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 2012?	4 b	X

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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 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 instructions)?**5b**

N/A

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?N/A ☐ 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**

X

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?

N/A

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 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
See Statement 8		0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1 – see 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

0

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 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		0

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 instructions)

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.	Amount
1 N/A	
2	
All other program-related investments. See instructions.	
3	
Total. Add lines 1 through 3	0.

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Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see 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	1 a	1,499,981.
b Average of monthly cash balances	1 b	389,960.
c Fair market value of all other assets (see instructions)	1 c	
d Total (add lines 1a, b, and c)	1 d	1,889,941.
e Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1 e	0.
2 Acquisition indebtedness applicable to line 1 assets	2	0.
3 Subtract line 2 from line 1d	3	1,889,941.
4 Cash deemed held for charitable activities Enter 1-1/2% of line 3 (for greater amount, see instructions)	4	28,349.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3 Enter here and on Part V, line 4	5	1,861,592.
6 Minimum investment return. Enter 5% of line 5	6	93,080.

Part XI Distributable Amount (see 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	93,080.
2a Tax on investment income for 2012 from Part VI, line 5	2 a	776.
b Income tax for 2012 (This does not include the tax from Part VI)	2 b	
c Add lines 2a and 2b	2 c	776.
3 Distributable amount before adjustments Subtract line 2c from line 1	3	92,304.
4 Recoveries of amounts treated as qualifying distributions	4	
5 Add lines 3 and 4	5	92,304.
6 Deduction from distributable amount (see instructions)	6	
7 Distributable amount as adjusted. Subtract line 6 from line 5 Enter here and on Part XIII, line 1	7	92,304.

Part XII Qualifying Distributions (see 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	1 a	95,750.
b Program-related investments — total from Part IX-B	1 b	
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)	3 a	
b Cash distribution test (attach the required schedule)	3 b	
4 Qualifying distributions. Add lines 1a through 3b Enter here and on Part V, line 8, and Part XIII, line 4	4	95,750.
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 instructions)	5	776.
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	94,974.

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 instructions)

	(a) Corpus	(b) Years prior to 2011	(c) 2011	(d) 2012
1 Distributable amount for 2012 from Part XI, line 7				92,304.
2 Undistributed income, if any, as of the end of 2012:				
a Enter amount for 2011 only			80,047.	
b Total for prior years: 20____, 20____, 20____		0.		
3 Excess distributions carryover, if any, to 2012:				
a From 2007				
b From 2008				
c From 2009				
d From 2010				
e From 2011				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2012 from Part XII, line 4: ► \$ 95,750.				
a Applied to 2011, but not more than line 2a			80,047.	
b Applied to undistributed income of prior years (Election required — see instructions)		0.		
c Treated as distributions out of corpus (Election required — see instructions)	0.			
d Applied to 2012 distributable amount				15,703.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2012 (If an amount appears in column (d), the same amount must be shown in column (a))	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
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		0.		
d Subtract line 6c from line 6b. Taxable amount — see instructions		0.		
e Undistributed income for 2011. Subtract line 4a from line 2a. Taxable amount — see instructions			0.	
f Undistributed income for 2012. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2013				76,601.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0.			
8 Excess distributions carryover from 2007 not applied on line 5 or line 7 (see instructions)	0.			
9 Excess distributions carryover to 2013. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2008				
b Excess from 2009				
c Excess from 2010				
d Excess from 2011				
e Excess from 2012				

BAA

Form 990-PF (2012)

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

N/A

- 1 a** If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2012, enter the date of the ruling

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

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

[illegible]

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 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))

SHELDON J. HOROWITZ MD

- 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

None

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 instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

- a** The name, address, and telephone number or e-mail of the person to whom applications should be addressed:

See Statement 9

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

See Statement for Line 2a

- c Any submission deadlines:

See Statement for Line 2a

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

See Statement for Line 2a

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 VARIOUS SEE ATTACHED SCHEDULE Thompson Rd Syracuse, NY 13214	None	VAR.	GENERAL	95,750.
Total			3 a	95,750.
b Approved for future payment				
Total			3 b	

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated

Enter gross amounts unless otherwise indicated		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See instructions)
	(a) Business code	(b) Amount	(c) Exclu- sion 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					68.
4	Dividends and interest from securities					45,468.
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					37,547.
9	Net income or (loss) from special events					
10	Gross profit or (loss) from sales of inventory					
11	Other revenue.					
a	<u>NUSTAR</u>					-626.
b						
c						
d						
e						
12	Subtotal. Add columns (b), (d), and (e)					82,457.
13	Total. Add line 12, columns (b), (d), and (e)					82,457.

(See worksheet in line 13 instructions to verify calculations)

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

[illegible]

THE HOROWITCH FAMILY FOUNDATION

23-7046081

Statement 1
Form 990-PF, Part I, Line 11
Other Income

	(a) Revenue per Books	(b) Net Investment Income	(c) Adjusted Net Income
NUSTAR	\$ -626.	\$ -626.	
Total	\$ -626.	\$ -626.	0.

Statement 2
Form 990-PF, Part I, Line 16b
Accounting Fees

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
A Kamp Bookeeping	\$ 500.	\$ 500.		
Darcangelo & Co	2,700.	2,700.		
Total	\$ 3,200.	\$ 3,200.		\$ 0.

Statement 3
Form 990-PF, Part I, Line 18
Taxes

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
FOREIGN TAXES	\$ 85.	\$ 85.		
US Treasury 990 PF	1,277.	1,277.		
Total	\$ 1,362.	\$ 1,362.		\$ 0.

Statement 4
Form 990-PF, Part I, Line 23
Other Expenses

	(a) Expenses per Books	(b) Net Investment Income	(c) Adjusted Net Income	(d) Charitable Purposes
NYS FILING FEE	\$ 250.	\$ 250.		
Total	\$ 250.	\$ 250.		\$ 0.

THE HOROWITCH FAMILY FOUNDATION

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Statement 5
Form 990-PF, Part II, Line 10b
Investments - Corporate Stocks

<u>Corporate Stocks</u>	<u>Valuation Method</u>	<u>Book Value</u>	<u>Fair Market Value</u>
CORPORATE STOCK SEE SCHEDULE	Cost	\$ 683,627.	\$ 1,004,886.
SYNGENTA AG SPON ADR	Cost	8,645.	24,240.
AT&T	Cost	9,567.	10,113.
JP MORGAN CHASE CAP XXIX GTD CAP SERIES	Cost	100,131.	102,200.
dupont	Cost	24,444.	22,489.
Duke Energy	Cost	5,466.	6,380.
Crexus Investment company	Cost	10,737.	12,250.
Tri Continental Corp	Cost	20.	20.
Met Life	Cost	7,060.	6,588.
Crosstex Energy	Cost	6,515.	7,170.
Freeport McMoran Copper & Gold	Cost	30,890.	27,360.
HealthCare Svcs Group	Cost	47,496.	46,460.
	Total	\$ 934,598.	\$ 1,270,156.

Statement 6
Form 990-PF, Part II, Line 13
Investments - Other

<u>Other Publicly Traded Securities</u>	<u>Valuation Method</u>	<u>Book Value</u>	<u>Fair Market Value</u>
Pimco Global Multi Asset	Cost	\$ 2,407.	\$ 2,245.
Petroleum & Res Corp	Cost	162,507.	151,940.
Total Other Publicly Traded Securities		\$ 164,914.	\$ 154,185.
<u>Other Securities</u>			
Crosstex Emery Com	Cost	7,310.	7,275.
Total Other Securities		\$ 7,310.	\$ 7,275.
	Total	\$ 172,224.	\$ 161,460.

Statement 7
Form 990-PF, Part IV, Line 1
Capital Gains and Losses for Tax on Investment Income

<u>Item</u>	<u>(a) Description</u>	<u>(b) How Acquired</u>	<u>(c) Date Acquired</u>	<u>(d) Date Sold</u>
1	600 cenovus	Purchased	9/17/2003	2/15/2012
2	300 gen probe inc	Purchased	4/15/2003	8/01/2012
3	548 MET LIFE	Purchased	Various	11/02/2012
4	58 MET LIFE	Purchased	2/18/2009	11/02/2012
5	394 MET LIFE	Purchased	3/18/2009	11/02/2012
6	300 WASTE MGT	Purchased	5/18/2011	8/20/2012
7	400 WASTE MGT	Purchased	6/28/2011	8/20/2012
8	300 WASTE MGT	Purchased	5/18/2011	8/20/2012
9	500 WASTE MGT	Purchased	9/07/2011	8/20/2012
10	800 walgreen	Purchased	9/07/2010	2/08/2012

THE HOROWITCH FAMILY FOUNDATION

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Statement 7 (continued)
Form 990-PF, Part IV, Line 1
Capital Gains and Losses for Tax on Investment Income

Item	(a) Description	(b) How Acquired	(c) Date Acquired	(d) Date Sold
11	1000 MET LIFE	Purchased	8/21/2012	11/02/2012
12	200 United STS Oil	Purchased	1/18/2012	3/14/2012
13	200 walgreen	Purchased	9/07/2010	7/23/2012
14	300 Manulife	Purchased	Various	1/18/2012
15	6000 Pet & reserve copr	Purchased	Various	1/17/2012
16	2500 MET LIFE	Purchased	Various	11/02/2012
17	500 valueclick	Purchased	3/13/2012	8/22/2012
18	United STS Oil	Purchased	1/23/2012	3/19/2012
19	Capital Gain Distributions	Purchased	Various	12/31/2012

Item	(e) Gross Sales	(f) Deprec. Allowed	(g) Cost Basis	(h) Gain (Loss)	(i) FMV 12/31/69	(j) Adj. Bas. 12/31/69	(k) Excess (i) - (j)	(l) Gain (Loss)
1	11,223.		2,603.	8,620.				\$ 8,620.
2	24,825.		4,093.	20,732.				20,732.
3	19,241.		19,103.	138.				138.
4	2,036.		3,120.	-1,084.				-1,084.
5	13,834.		9,974.	3,860.				3,860.
6	10,274.		11,851.	-1,577.				-1,577.
7	13,698.		15,154.	-1,456.				-1,456.
8	10,274.		9,000.	1,274.				1,274.
9	17,123.		15,941.	1,182.				1,182.
10	26,438.		22,953.	3,485.				3,485.
11	35,111.		36,259.	-1,148.				-1,148.
12	8,017.		7,830.	187.				187.
13	6,721.		5,731.	990.				990.
14	3,508.		6,057.	-2,549.				-2,549.
15	150,496.		153,504.	-3,008.				-3,008.
16	88,357.		86,265.	2,092.				2,092.
17	7,830.		10,261.	-2,431.				-2,431.
18	20,188.		19,380.	808.				808.
19	7,432.		0.	7,432.				7,432.
Total								\$ 37,547.

Statement 8
Form 990-PF, Part VIII, Line 1
List of Officers, Directors, Trustees, and Key Employees

Name and Address	Title and Average Hours Per Week Devoted	Compensation	Contribution to EBP & DC	Expense Account/ Other
SHELDON J. HOROWITCH MD 6709 BROOKLAWN PKY SYRACUSE, NY 13211	Trustee 5.00	\$ 0.	\$ 0.	0.
JILL B. GREISS, ESQ 372 E MADISON AVE CRESSKILL, NJ 07626	Trustee 0	0.	0.	0.

THE HOROWITCH FAMILY FOUNDATION

23-7046081

Statement 8 (continued)
Form 990-PF, Part VIII, Line 1
List of Officers, Directors, Trustees, and Key Employees

<u>Name and Address</u>	<u>Title and Average Hours Per Week Devoted</u>	<u>Compen- sation</u>	<u>Contri- bution to EBP & DC</u>	<u>Expense Account/ Other</u>
SAMUAL K, LEVENE, ESQ PO BOX F-1706 BINGHAMTON, NY 13902	Trustee 0	\$ 0.	\$ 0.	\$ 0.
DAVID M. HOROWITCH 6932 KASSONTA DRIVE JAMESVILLE, NY 13078	Trustee 5.00	0.	0.	0.
SHEILA HOROWITCH 6106 WATERFORD WOOD WAY FAYETTEVILLE, NY 13066	Trustee 0	0.	0.	0.
Total		\$ 0.	\$ 0.	\$ 0.

Statement 9
Form 990-PF, Part XV, Line 2a-d
Application Submission Information

Name of Grant Program:
 Name: SHELDON J. HOROWITCH
 Care Of:
 Street Address: 6709 BROOKLAWYN PARKWAY
 City, State, Zip Code: SYRACUSE, NY 13211
 Telephone: 315/463-5505
 E-Mail Address:
 Form and Content: N/A
 Submission Deadlines: N/A
 Restrictions on Awards: N/A

Horowitch Family Foundation
Basis of securities

	Date Purchased	# Shares	(Sold)	Reinv	Total # Shares	Cost	Cost at 12/31/2011	Fmv 12/31/2012
Owned at 12/31/08:								
<u>HELD BY MORGAN STANLEY</u>								
AT&T INC	UNKNOWN	1795 0000			1795.0000	31,117.00	31,117.00	50,509.45
CENOVUS		600 0000			600 0000	5,207.87	2,604.44	10,062.00
CONOCOPHILIPS	UNKNOWN	1000 0000			1000 0000	20,323.00	20,323.00	57,990.00
ELI LILLY & CO	UNKNOWN	200 0000			200 0000	2,149.60	2,149.60	9,884.00
ENCANA CORP	UNKNOWN	600 0000			600 0000	5,644.13	5,644.13	11,858.00
EOG RESOURCES	UNKNOWN	200 0000			200 0000	4,208.00	4,208.00	24,158.00
GENERAL ELEC CO	UNKNOWN	200 0000			200.0000	6,394.00	6,394.00	4,188.00
ISHARES DJ US UTIL SECTOR	UNKNOWN	300 0000			300.0000	18,645.00	18,645.00	25,908.00
MARATHON OIL	UNKNOWN	2000 0000			2000 0000	22,784.52	22,784.52	61,320.00
Marathon Petroleum corp		1000 0000			1000 0000	14,567.15	14,567.15	63,000.00
MEDTRONIC INC	UNKNOWN	300 0000			300 0000	358.80	358.80	12,306.00
PEPSICO INC	UNKNOWN	200 0000			200 0000	8,798.00	8,798.00	13,688.00
TRI CONTINENTAL CORP	UNKNOWN	1 0000			1 0000	20.00	20.00	-
UTILITIES SEL SECT SPDR FUND	UNKNOWN	1500 0000			1500.0000	35,140.00	35,140.00	52,380.75
Exxon from XTO ENERGY INC	UNKNOWN	354 0000			354 0000	15,948.04	15,948.04	30,638.70
Purchased in 2007								
DUPONT	4/17/2007	200 0000			200.0000	9,882.04	9,882.04	8,995.70
NOVARTIS	1/29/2007	200 0000			200 0000	11,748.99	11,748.99	12,660.00
NOVARTIS	1/31/2007	300 0000			300 0000	17,357.25	17,357.25	18,990.00
TEVA PHARM ADR	7/2/2007	100 0000			100.0000	4,128.91	4,128.91	3,734.00
TEVA PHARM ADR	11/1/2007	300 0000			300 0000	13,671.84	13,671.84	11,202.00
Purchased in 2008								
AT&T INC	2/1/2008	705 0000			705 0000	23,416.47	23,416.47	23,785.55
General Electric	1/18/2008	300 0000			300.0000	10,498.43	10,498.43	6,297.00
JP Morgan Chase	3/28/2008	200 0000			200.0000	9,374.24	9,374.24	8,783.82
TEVA PHARM ADR	5/9/2008	200 0000			200 0000	9,458.36	9,458.36	7,468.00
Verizon	2/1/2008	200 0000			200 0000	7,882.92	7,882.92	8,854.00
Purchased in 2009								
CNI/INDEX INTL	6/24/2009	1000 0000			1000 0000	13,317.07	13,317.07	10,500.00
COSTCO WHOLESALE	5/5/2009	300 0000			300 0000	14,327.18	14,327.18	29,819.00
Health Care Svc Group	12/28/2009	900 0000			900.0000	13,198.39	13,198.39	20,907.00
Johnson & Johnson	2/13/2009	200 0000			200.0000	11,606.01	11,606.01	14,020.00
Novartis	6/19/2009	300 0000			300.0000	12,730.51	12,730.51	18,990.00
Novartis	12/3/2009	400 0000			400 0000	22,774.86	22,774.86	25,320.00
Stencycle Inc	2/13/2009	600 0000			600.0000	29,078.69	29,078.69	55,968.00
Teva Pharmaceuticals	2/13/2009	100 0000			100.0000	4,423.58	4,423.58	3,734.00
Teva Pharmaceuticals	2/13/2009	300 0000			300.0000	13,260.98	13,260.98	11,202.00
Purchased in 2010								
Caterpillar	4/20/2010	300 0000			300.0000	21,975.93	21,975.93	26,882.55
dupont	8/15/2010	300 0000			300.0000	11,375.74	11,375.74	13,493.55
Health Care Svc Group	3/26/2010	750 0000			750.0000	11,448.75	11,448.75	17,422.50
Washington Real Est Inv Tr	1/14/2010	1000 0000			1000 0000	27,995.90	27,995.90	28,150.00
Purchased in 2011								
AT&T INC	8/12/2011				500 0000	14,550.86	14,550.86	18,855.00
Dupont	5/2/2011				500 0000	28,788.21	28,788.21	22,489.25
Dupont	5/18/2011				200 0000	28,287.75	28,287.75	22,489.25
Duke Energy	8/15/2011				600.0000	11,000.70	11,000.70	12,760.00
Health Care Svc Group	1/21/2011				350 0000	5,662.79	5,662.79	8,130.50
Marathon Oil	4/25/2011				500 0000	16,221.62	16,221.62	15,330.00
Marathon Petroleum Corp	4/25/2011				250 0000	10,540.54	10,540.54	15,750.00
Novartis	4/5/2011				500 0000	27,810.66	27,810.66	31,650.00
Novartis	8/11/2011				300 0000	18,691.05	18,691.05	18,990.00
Polypore Intl Inc	3/8/2011				200.0000	11,315.41	11,315.41	9,300.00
K-1'S								
Nustar	UNKNOWN	200 0000				4,523.00	3,021.00	8,486.00
						798,919.56	683,825.41	1,004,885.57

THE HOROWITZ FAMILY FOUNDATION - DONATIONS - DECEMBER, 20 2012

American Cancer Society	\$	100.00
American Heart Association	\$	50.00
American Lung Association of CNY	\$	50.00
American Red Cross	\$	50.00
Catholic Charities of Onondaga County	\$	200.00
Cleveland Clinic Foundation-3000 pledge (now paid)	\$	300.00
Community General Foundation	\$	250.00
Crouse Health Foundation	\$	500.00
Dewitt Fire Dept., Inc.	\$	50.00
Enable	\$	100.00
Everson Museum of Art	\$	100.00
The Food Bank of CNY	\$	100.00
Foundation at Menorah Park	\$	500.00
Hamilton College-Maurice Horowitz Career Center Endowment-25,000/4 yrs-2008-2011	\$	25,000.00
Hamilton College-Bi-Centennial Program-60,000 pledge-20,000-2011/2012/2013	\$	20,000.00
Heard Museum	\$	50.00
Hospice Foundation	\$	50.00
Jewish Braille Institute	\$	50.00
LeMoyne College	\$	100.00
Leukemia & Lymphoma Society	\$	50.00
The Loretto Foundation	\$	100.00
Mayo Foundation	\$	1,000.00
Meals on Wheels of Syracuse	\$	50.00
Onondaga Community College Foundation Inc.	\$	100.00
Phoenix Art Museum	\$	750.00
Rescue Mission	\$	1,000.00
Research to Prevent Blindness	\$	100.00
Shoah Foundation	\$	25.00
Memorial Sloan-Kettering (Major Donor Program)	\$	100.00
St. Camillus Foundation	\$	100.00
St. Joseph's Hospital-Cardiovascular Surgical Program	\$	200.00
Syracuse University-Maxwell School-Community Geographer Project-60,000 (paid as of 12/2011)	\$	15,000.00
Syracuse Jewish Federation	\$	25,000.00
Syracuse Stage	\$	100.00
Temple Adath Yeshurun	\$	250.00
Temple Society of Concord	\$	600.00
United Negro College Fund	\$	200.00
United Way of Central New York, Inc.	\$	500.00
US Holocaust Memorial Museum	\$	50.00
Upstate Medical University (Alumni Foundation)-Faculty Enhancement Program	\$	500.00
Vera House	\$	2,250.00
WCNY	\$	25.00
Total Donations - December, 2012	\$	95,650.00
Additional donations: 8/10/11 Jewish Home of CNY	\$	100.00
Total Donations 2012	\$	95,750.00