



New York City Campaign Finance Board

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Summary of Final Board Determination

Adeyemi Oloruntoba

Candidate, 2013, City Council District 12, Bronx

Program participant: \$0 in public funds received

1. Failing to provide bank/merchant account statements \$85

Campaigns are required to provide copies of all bank and merchant account statements for accounts used for each election. See Admin. Code §§ 3-703(1)(d), (g), (11), 3-719(1); Board Rule 4-01(f).

The Campaign failed to provide bank statements for its Chase Bank account from inception to present.

The Board assessed a penalty of \$85 for this violation.

2. Failing to demonstrate compliance with cash receipts reporting and documentation requirements \$186

Campaigns are required to report all cash receipts, deposit them into the bank account listed on the candidate's filer registration and/or certification, and provide the deposit slips for the account to the Board. See Admin. Code §§ 3-703(1)(d), (g), (6), (10), (11), (12), 3-719(1); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f).

The Campaign reported \$4,395 in cash receipts but failed to provide any deposit slips (a variance of 100%).

The Board assessed a penalty of \$186 for this violation.

3. Failing to demonstrate compliance with reporting requirements for receipts and disbursements \$254

Campaigns are required to demonstrate compliance with the reporting requirements and are required to provide bank records, including bank statements and deposit slips. See Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-719(1); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign reported \$9,038.86 in receipts but has not provided any bank statements (a variance of 100%).

Additionally, the Campaign reported \$7,286.88 in disbursements but has not provided any bank statements (a variance of 100%).

The Board assessed a penalty of \$254 for these violations.



Summary of Final Board Determination

4. Accepting contributions from corporations, limited liability companies or partnerships \$385

Campaigns may not accept, either directly or by transfer, a campaign contribution or loan, or guarantee or other security for such loan, from any corporation, limited liability company (LLC), or partnership. See N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l), 3-719(2)(b); Board Rules 1-04(c)(1), (e), (g), 1-05.

The Campaign reported five expenditures from corporations, partnerships, and/or LLCs that do not appear on the bank statements provided by the Campaign, nor are they reported as outstanding liabilities. This indicates that the goods or services were provided by the reported payee for free.

The Board assessed a penalty of \$385 for these violations.

5. Failing to document transactions \$220

Campaigns are required to document all financial transactions, including loans, in-kind contributions, and joint expenditures. See Admin. Code §§ 3-703(1)(d), (g), (11), (12), 3-715, 3-719(1)(b); Board Rules 1-09, 4-01(a), (c), (g), (k), 4-03. If any of these transactions constituted in-kind contributions, the Campaign must submit an in-kind contribution form completed by the contributor. If any of the vendors have forgiven a liability, or if a debt was paid by a third party, the Campaign may be penalized for accepting over-the-limit contributions or contributions from prohibited sources. See N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), (18), (20), 3-703(1)(l), (1-a), (1-b), 3-719(2)(b); Board Rules 1-04(c)(1), (e), (g), (h), 1-05.

The Campaign reported, but failed to adequately document, in-kind contributions from two individuals, one of whom contributed \$1,500, and the other of whom contributed \$435.

Additionally, documentation obtained by the CFB indicates that one or more expenditures were made to benefit the Candidate that the Campaign did not report.

The Campaign also reported multiple expenditures that are not substantiated by bank statements, nor are they reported as outstanding liabilities. This indicates that a third party may have paid for these transactions, or the goods and services were provided by the reported payee for free.

Finally, the Campaign failed to provide supporting documentation for multiple loans.

The Board assessed a penalty of \$220 for these violations.



Summary of Final Board Determination

6. Failing to report and document basic campaign functions/activities \$170

Campaigns are required to report and document all financial transactions, including basic categories of expenditures such as postage, printing, rent, and petitioning. See Admin. Code §§ 3-702(8), 3-703(1)(d), (g), (6), (11), (12), 3-719(1); Board Rules 1-02, 1-04(g), 1-08(a), (b), (c), (h), 1-09, 3-02, 3-03(e), 4-01.

The absence of expenditures for rent or petitioning indicates that such services may have been provided free of charge or paid for by a third party.

The Board assessed a penalty of \$170 for this violation.

7. Failing to demonstrate that spending was in furtherance of the campaign \$35

Campaigns are required to demonstrate that all spending was in furtherance of the campaign. See Admin. Code §§ 3-702(21)(a), (b); 3-703(1)(d), (g), (6), (11); Board Rules 1-03(a), 4-01(e).

The Campaign reported two non-campaign related expenditures. One was a \$350 payment to an individual which was reported as an expenditure for an infomercial, but the Campaign did not report any other expenditures for production costs associated with the infomercial. The Campaign also made a \$475 payment to an individual but didn't explain how the expenditure was campaign-related.

The Board assessed a penalty of \$35 for these violations.

8. Failing to respond to the Initial Documentation Request and Draft Audit Report \$1,000

Campaigns are required to maintain records, such as copies of checks, invoices, and bank records, to verify financial transactions reported in disclosure statements, and campaigns are required to provide such records to the Board upon request and to respond to specific questions regarding compliance with the Act and Rules. See Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-708(5), 3-710(1), 3-719(1)(b); Board Rules 1-09(a), 4-01, 4-05(a). Candidates who fail to respond to the DAR may be subject to a penalty of up to 10% of total public funds received. See Admin. Code § 3-711(2)(b).

The Campaign failed to submit responses to the IDR or the DAR.

The Board assessed a penalty of \$1,000 for this violation.