

Manuel Lantigua, CD #7 (2009)

1. Failing to provide bank statements

No penalty

Campaigns are required to provide the Board with bank records, including periodic bank statements and deposit slips. *See* Admin. Code §§ 3-703(1)(d), (g); Board Rule 4-01(f).

The Campaign failed to provide statements from its account with Washington Mutual/Chase from February 27, 2010 through the present.

The Board did not assess a penalty for this violation.

2. Making an improper post-election expenditure

\$150

After an election and before repaying leftover campaign funds to the Board, participating candidates may spend campaign funds only to pay campaign-related expenses incurred in the preceding election and for “routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit.” *See* Admin. Code § 3-710(2)(c); Board Rules 1-03(a), 5-03(e)(2).

The Campaign made an expenditure on October 19, 2009, more than one month after the primary election, in the amount of \$1,500. Because the Campaign did not report or document this expenditure, CFB staff was unable to assess whether the expenditure was properly made.

The Board assessed a penalty of \$150 for this violation

3. Failing to accurately report receipts

\$2,000

Campaigns are required to report every contribution, loan, receipt, and disbursement. *See* Admin. Code § 3-703(6); Board Rule 3-03. Campaigns are also required to report all receipts, deposit them into the account listed on the candidate’s Certification, and provide the Board with the deposit slips. *See* Admin. Code §§ 3-703(1)(d),(g), (6), (10); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (f).

A review of the Campaign’s financial records revealed total reported cash receipts of \$7,625, but the Campaign submitted total deposit slips in the amount of \$2,755. This results in a variance of \$4,870, or 63.87%, between reported receipts and deposits.

The Board assessed a penalty of \$2,000 for this violation.

4. Failing to comply with subcontractor reporting requirements \$50

Campaigns are required to report the use of subcontractors by vendors who receive payments of more than \$5,000 for goods or services. *See* Admin. Code § 3-703(6); Board Rule 3-03(e)(3). Campaigns are also required to obtain and maintain documentation from a vendor that has used a subcontractor. *See* Admin. Code §§ 3-703(1)(d), (g); Board Rule 4-01(h).

The Campaign failed to report the use of subcontractors by vendor ProPrintingNY.com, Inc., which was paid \$10,714 by the Campaign.

The Board assessed a penalty of \$50 for this violation.

5. Failing to report intermediaries No penalty

Campaigns are required to provide a signed intermediary affirmation statement for each instance in which a candidate accepts receipts from an intermediary. *See* Admin. Code §§ 3-703(1)(d), (g); Board Rules 3-03(c)(7), 4-01(b)(5).

The Campaign submitted statements for six intermediaries, but did not report them as intermediaries in its disclosure statements.

The Board did not assess a penalty for this violation.

6. Failing to respond to the draft audit report \$8,855

A campaign is required to respond to the Draft Audit Report by the due date. *See* Admin. Code §§ 3-703(1)(d), (g), (11), 3-708(5), 3-710(1), 3-711(1); Board Rules 1-09(a), 4-01, 4-05.

The Draft Audit Report was issued to the campaign on November 22, 2010, and the Campaign's response was due on December 22, 2010. The Campaign never responded.

The Board assessed a penalty of \$8,855 for this violation.