

Joel Rivera CD #15 (2009)

1. Accepting an over-the-limit doing business contribution

\$500

For City Council candidates in the 2009 election, the limit on contributions from individuals who have business dealings with New York City was \$250. *See* Admin. Code § 3-703(1-a). When a candidate has received a contribution in excess of this amount, the candidate must return the excess portion to the contributor by bank check or certified check within twenty days of being notified by the CFB. *See* Board Rule 1-04(c)(1).

Consolato Cicciu (“Cicciu”), a person who has business dealings with the City, made a \$500 contribution on April 30, 2009. On June 2, 2009, the CFB notified the Campaign of the \$250 “doing business” contribution limit violation, and that its deadline to refund the overage was June 22, 2009. The Campaign reported making a \$250 refund to Cicciu on October 26, 2009, but submitted documentation for an (unreported) refund made to a different contributor on that date instead. Moreover, the Campaign’s bank statements show that the Campaign had made only one \$250 expenditure since June 2009. Therefore, it appears that the Campaign has not refunded Cicciu’s over-the-limit contribution.

The Board assessed a penalty of \$500.