

Ruben Dario Vargas, CD #10 (2009)

1. Filing a late disclosure statement

Infraction--No Penalty

Campaigns are required to file disclosure statements on scheduled dates. *See* N.Y.C. Charter § 1052(a)(8); Admin. Code §§ 3-703(6), 3-708(8); Board Rules 1-09(a) and 3-02. The Campaign filed Disclosure Statement #5 one day late.

The Board did not assess a penalty for this violation.

2. Failing to accurately report cash receipts

\$500

Campaigns must deposit all receipts into an account listed on the candidate's Certification. *See* Admin. Code § 3-703(1) and Board Rule 3-03. Campaigns must also provide bank records, including periodic bank statements and deposit slips. *See* Admin. Code §§ 3-703(1)(d), (g) and Board Rules 4-01(a), (b)(1), (f).

Although the Campaign reported cash receipts of \$7,530, it provided deposit slips documenting only \$5,950 in cash receipts. This results in a variance of 20.89% (or \$1,580).

The Board assessed a penalty of \$500 for this violation.

3. Failing to demonstrate that spending was in furtherance of the campaign

\$50

Gifts, except for "token gifts valued at not more than fifty dollars that are for the purpose of expressing gratitude, condolences or congratulations" are non-campaign related expenditures. *See* Admin. Code § 3-702(21)(b). The Campaign purchased a \$134 floral arrangement from G&B Florist Inc. for the funeral of a Campaign volunteer. The Act makes clear that condolence gifts exceeding \$50 are "[e]xpenditures not in furtherance of a political campaign." *See id.* The Board assessed a penalty of \$50.