

Rose Gill Hearn Chair

Art Chang Richard J. Davis Mark S. Piazza Naomi B. Zauderer Members

Amy M. Loprest Executive Director

Sue Ellen Dodell General Counsel

Via C-Access July 15, 2016



Dear Bronique Jones:

Please find attached the New York City Campaign Finance Board's ("CFB" or "Board") Final Audit Report for the 2013 campaign of Kathleen Daniel (the "Campaign"). CFB staff prepared the report based on a review of the Campaign's financial disclosure statements and documentation submitted by the Campaign.

This report incorporates the Board's final determination of May 12, 2016 (attached). As detailed in the report, the Campaign failed to demonstrate compliance with the Campaign Finance Act (the "Act") and the Board Rules (the "Rules").

As detailed in the attached Final Board Determination, the Campaign was assessed penalties totaling \$8,369.

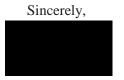
The full amount owed must be paid no later than **August 15, 2016**. Please send a check in the amount of \$8,369, payable to the "New York City Election Campaign Finance Fund," to: New York City Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007.

If the CFB is not in receipt of the full amount owed by **August 15, 2016**, the Candidate's name and the amount owed will be posted on the CFB's website. The CFB may also initiate a civil action to compel payment. In addition, the Candidate will not be eligible to receive public funds for any future election until the full amount is paid. Further information regarding liability for this debt can be found in the attached Final Board Determination.

The January 15, 2014 disclosure statement (#16) was the last disclosure statement the Campaign was required to file with the CFB for the 2013 elections. If the Campaign raises additional contributions to pay outstanding liabilities, please note that all 2013 election requirements,

including contribution limits, remain in effect. The Campaign is required to maintain its records for six years after the election, and the CFB may require the Campaign to demonstrate ongoing compliance. *See* Rules 3-02(b)(3), 4-01(a), and 4-03. In addition, please contact the New York State Board of Elections for information concerning its filing requirements.

The CFB appreciates the Campaign's cooperation during the 2013 election cycle. Please contact the Audit Unit at 212-409-1800 or AuditMail@nyccfb.info with any questions about the enclosed report.



Signature on original

Sauda S. Chapman
Director of Auditing and Accounting

c: Kathleen Daniel



Committee to Elect Kathleen Daniel 2726 Linden Boulevard, #7D Brooklyn, NY 11208

Attachments



Committee to Elect Kathleen Daniel

July 2016

Table of Contents

RESULT	S IN BRIEF	3
Disclos	sure Findings	3
Contril	oution Findings	3
Other 1	Findings	4
BACKGI	ROUND	5
SCOPE A	AND METHODOLOGY	6
AUDIT F	RESULTS	9
Disclos	sure Findings	9
1.	Financial Disclosure Reporting - Discrepancies	9
2.	Failure to File and Late Filings	13
3.	Daily Pre-Election Disclosure – Statements of Contributions/Expenditures	13
4.	Disclosure – Possible Subcontractors	14
Contril	oution Findings	15
5.	Prohibited Contributions – Contributions Over the Limit	15
6.	Prohibited Contributions – Corporate/Partnership/LLC	17
7.	Prohibited Contributions – Unregistered Political Committees	18
8.	Undocumented or Unreported In-Kind Contributions	19
9.	Contribution Documentation.	21
Other 1	Findings	22
10.	Failure to Respond Timely	22

RESULTS IN BRIEF

Disclosure Findings

Accurate public disclosure is an important part of the CFB's mission. Findings in this section relate to the Campaign's failure to completely and timely disclose the Campaign's financial activity.

- The Campaign did not report or inaccurately reported financial transactions to the Board (see Finding #1).
- The Campaign did not file, by the due dates, financial disclosure statements required by the Board (see Finding #2).
- The Campaign did not file the required daily disclosure statements during the two weeks preceding the 2013 primary election (see Finding #3).
- The Campaign did not disclose payments made by a vendor to subcontractors (see Finding #4).

Contribution Findings

All campaigns are required to abide by contribution limits and adhere to the ban on contributions from prohibited sources. Further, campaigns are required to properly disclose and document all contributions. Findings in this section relate to the Campaign's failure to comply with the requirements for contributions under the Act and Rules.

- The Campaign accepted aggregate contributions exceeding the \$2,750 contribution limit for the 2013 election cycle (see Finding #5).
- The Campaign accepted contributions from prohibited sources (see Finding #6).
- The Campaign accepted a contribution from an unregistered political committee (see Finding #7).
- The Campaign did not document the fair market value of in-kind contributions received and did not disclose in-kind contributions received (see Finding #8).
- The Campaign did not provide requested documentation related to reported contributions (see Finding #9).

Other Findings

• The Campaign did not respond to the Initial Documentation Request and did not respond to the Draft Audit Report (see Finding #10).

BACKGROUND

The Campaign Finance Act of 1988, which changed the way election campaigns are financed in New York City, created the voluntary Campaign Finance Program. The Program increases the information available to the public about elections and candidates' campaign finances, and reduces the potential for actual or perceived corruption by matching up to \$175 of contributions from individual New York City residents. In exchange, candidates agree to strict spending limits. Those who receive funds are required to spend the money for purposes that advance their campaign.

The CFB is the nonpartisan, independent city agency that administers the Campaign Finance Program for elections to the five offices covered by the Act: Mayor, Public Advocate, Comptroller, Borough President, and City Council member. All candidates are required to disclose all campaign activity to the CFB. This information is made available via the CFB's online searchable database, increasing the information available to the public about candidates for office and their campaign finances.

All candidates must adhere to strict contribution limits and are banned from accepting contributions from corporations, partnerships, and limited liability companies. Additionally, participating candidates are prohibited from accepting contributions from unregistered political committees. Campaigns must register with the CFB, and must file periodic disclosure statements reporting all financial activity. The CFB reviews these statements after they are filed and provides feedback to the campaigns.

The table below provides detailed information about the Campaign:

Name: Kathleen Daniel Contribution Limit:

ID: 1767 \$2,750

Office Sought: City Council

District: 41 Expenditure Limit: 2010–2012: N/A

Committee Name: Committee to Elect Kathleen Daniel 2013 Primary: \$168,000

Classification: Participant 2013 General: N/A Certification Date: June 4, 2013

Public Funds:

Ballot Status: Primary Received: \$0
Primary Election Date: September 10, 2013 Returned: N/A

Party: Democratic

Campaign Finance Summary:

http://bit.ly/UnzgdO

SCOPE AND METHODOLOGY

Pursuant to Admin. Code § 3-710(1), the CFB conducted this audit to determine whether the Campaign complied with the Act and Rules. Specifically, we evaluated whether the Campaign:

- 1. Accurately reported financial transactions and maintained adequate books and records.
- 2. Adhered to contribution limits and prohibitions.
- 3. Disbursed funds in accordance with the Act and Rules.
- 4. Complied with expenditure limits.
- 5. Received the correct amount of public funds, or whether additional funds are due to the Campaign or must be returned.

Prior to the election, we performed preliminary reviews of the Campaign's compliance with the Act and Rules. We evaluated the eligibility of each contribution for which the Campaign claimed matching funds, based on the Campaign's reporting and supporting documentation. We also determined the Candidate's eligibility for public funds by ensuring the Candidate was on the ballot for an election, was opposed by another candidate on the ballot, and met the two-part threshold for receiving public funds. Based on various criteria, we also selected the Campaign for an onsite review, and visited the Campaign's location to observe its activity and review its recordkeeping. After the election, we performed an audit of all financial disclosure statements submitted for the election (see summary of activity reported in these statements at Appendix #1).

To verify that the Campaign accurately reported and documented all financial transactions, we requested all of the Campaign's bank statements and reconciled the financial activity on the bank statements to the financial activity reported on the Campaign's disclosure statements. We identified unreported, misreported, and duplicate disbursements, as well as reported disbursements that did not appear on the Campaign's bank statements. We also calculated debit and credit variances by comparing the total reported debits and credits to the total debits and credits amounts appearing on the bank statements. Because the Campaign reported that more than 25% of the dollar amount of its total contributions were in the form of credit card contributions—or had a variance between the total credit card contributions reported and the credits on its merchant account statements of more than 4%—we reconciled the transfers on the submitted merchant account statements to the deposits on the bank account statements.

As part of our reconciliation of reported activity to the bank statements the Campaign provided, we determined whether the Campaign properly disclosed all bank accounts. We also determined if the Campaign filed disclosure statements timely and reported required activity daily during the two weeks before the election. Finally, we reviewed the Campaign's reporting to ensure it disclosed required information related to contribution and expenditure transactions, such as intermediaries and subcontractors.

To determine if the Campaign adhered to contribution limits and prohibitions, we conducted a comprehensive review of the financial transactions reported in the Campaign's disclosure statements. Based on the Campaign's reported contributions, we assessed the total amount contributed by any one source and determined if it exceeded the applicable limit. We also determined if any of the contribution sources were prohibited. We reviewed literature and other documentation to determine if the Campaign accounted for joint activity with other campaigns.

To ensure that the Campaign disbursed funds in accordance with the Act and Rules, we reviewed the Campaign's reported expenditures and obtained documentation to assess whether funds were spent in furtherance of the Candidate's nomination or election. We also reviewed information from the New York State Board of Elections and the Federal Election Commission to determine if the Candidate had other political committees active during the 2013 election cycle. We determined if the Campaign properly disclosed these committees, and considered all relevant expenditures made by such committees in the assessment of the Campaign's total expenditures.

We requested records necessary to verify that the Campaign's disbursement of public funds was in accordance with the Act and Rules. Our review ensured that the Campaign maintained and submitted sufficiently detailed records for expenditures made in the election year that furthered the Candidate's nomination and election, or "qualified expenditures" for which public funds may be used. We specifically omitted expenditures made by the Campaign that are not qualified as defined by the Campaign Finance Act § 3-704.

We also reviewed the Campaign's activity to ensure that it complied with the applicable expenditure limits. We reviewed reporting and documentation to ensure that all expenditures—including those not reported, or misreported—were attributed to the period in which the good or service was received, used, or rendered. We also reviewed expenditures made after the election to determine if they were for routine activities involving nominal costs associated with winding up a campaign and responding to the post-election audit.

To ensure that the Campaign received the correct amount of public funds, and to determine if the Campaign must return public funds or was due additional public funds, we reviewed the Campaign's eligibility for public matching funds, and ensured that all contributions claimed for match by the Campaign were in compliance with the Act and Rules. We determined if the Campaign's activity subsequent to the pre-election reviews affected its eligibility for payment. We also compared the amount of valid matching claims to the amount of public funds paid pre-election and determined if the Campaign was overpaid, or if it had sufficient matching claims, qualified expenditures, and outstanding liabilities to receive a post-election payment. As part of this review, we identified any deductions from public funds required under Rule 5-01(n).

We determined if the Campaign met its mandatory training requirement based on records of training attendance kept throughout the 2013 election cycle. Finally, we determined if the Campaign submitted timely responses to post-election audit requests sent by the CFB.

Following an election, campaigns may only make limited winding up expenditures and are not going concerns. Because the activity occurring after the post-election audit is extremely limited,

the audit focused on substantive testing of the entire universe of past transactions. The results of the substantive testing served to establish the existence and efficacy of internal controls. The CFB also publishes and provides to all campaigns guidance regarding best practices for internal controls.

To determine if contributors were prohibited sources, we compared them to entities listed in the New York State Department of State's Corporation/Business Entity Database. Because this was the only source of such information, because it was neither practical nor cost effective to test the completeness of the information, and because candidates could provide information to dispute the Department of State data, we did not perform data reliability testing. To determine if reported addresses were residential or commercially zoned within New York City, we compared them to a database of addresses maintained by the New York City Department of Finance. Because this was the only source of such data available, because it was not cost effective to test the completeness of the information, and because campaigns had the opportunity to dispute residential/commercial designations by providing documentation, we did not perform data reliability testing.

In the course of our reviews, we determined that during the 2013 election cycle a programming error affected C-SMART, the application created and maintained by the CFB for campaigns to disclose their activity. Although the error was subsequently fixed, we determined that certain specific data had been inadvertently deleted when campaigns amended their disclosure statements and was not subsequently restored after the error was corrected. We were able to identify these instances and did not cite exceptions that were the result of the missing data or recommend violations to the Board. The possibility exists, however, that we were unable to identify all data deleted as a result of this error.

The CFB's Special Compliance Unit investigated any complaints filed against the Campaign that alleged a specific violation of the Act or Rules. The Campaign was sent a copy of all formal complaints made against it, as well as relevant informal complaints, and was given an opportunity to submit a response.

The Campaign was provided with a preliminary draft of this audit report and was asked to provide a response to the findings. However, the Campaign did not respond to the audit report. The Campaign was subsequently informed of its alleged violations, and was asked to respond. The Campaign did not respond. CFB staff recommended that the Board find that the Campaign committed violations subject to penalty. The Campaign did not respond. The Board's actions are summarized as a part of each Finding in the Audit Results section. The finding numbers and exhibit numbers, as well as the number of transactions included in the findings, may have changed from the Draft Audit Report to the Final Audit Report.

AUDIT RESULTS

Disclosure Findings

1. Financial Disclosure Reporting - Discrepancies

Campaigns are required to report every disbursement made, and every contribution, loan, and other receipt received. *See* Admin. Code § 3-703(6); Rule 3-03. In addition, campaigns are required to deposit all receipts into an account listed on the candidate's Certification. *See* Admin. Code § 3-703(10); Rule 2-06(a). Campaigns are also required to provide the CFB with bank records, including periodic bank statements and deposit slips. *See* Admin. Code §§ 3-703(1)(d), (g); Rules 4-01(a), (b)(1), (f).

The Campaign provided the following bank statements:

BANK	ACCOUNT#	ACCOUNT TYPE	STATEMENT PERIOD
TD Bank	XXXXX2019	Checking	May 2013 – Jul 2013

Below are the discrepancies and the additional records needed, as identified by a comparison of the records provided and the activity reported by the Campaign on its disclosure statements.

a) The Campaign must provide the bank statements listed below:

BANK	ACCOUNT#	ACCOUNT TYPE	STATEMENT PERIOD
TD Bank	XXXXX2019	Checking	Aug 2013 – Present
TD Bank	XXXXX6888	Merchant	Inception – Present
TD Bank	XXXXX3577	Merchant	Inception – Present

b) The Campaign did not report the following transactions that appear on its bank statements:

		Снеск No./	PAID	
ACCOUNT#	NAME	TRANSACTION	DATE	AMOUNT
XXXXX2019	TD Bank - OD Paid	Debit	06/10/13	\$70.00
XXXXX2019	Withdrawal	Debit	07/29/13	\$43.00
XXXXX2019	Withdrawal	Debit	07/29/13	\$21.75
XXXXX2019	TD Bank – OD Paid	Debit	07/30/13	\$105.00
XXXXX2019	TD Bank – OD Paid	Debit	07/31/13	\$35.00
Total			_	\$274.75

c) The Campaign reported the transactions listed on Exhibit I that do not appear on its bank statements.

d) A review of the Campaign's merchant account statements revealed the following discrepancy:1

TOTAL REPORTED	TOTAL CREDIT CARD	DOLLAR	PERCENT
CREDIT CARD RECEIPTS	RECEIPTS PER STATEMENTS	VARIANCE	VARIANCE
\$17,006.00	\$0.00	\$17,006.00	100%

Also see Finding a) above.

¹ The percentage variance is determined by subtracting the Total Credit Card Receipts Per Statements from the Total Reported Credit Card Receipts, and then dividing by the Total Reported Credit Card Receipts. A positive variance indicates that the Total Reported Credit Card Receipts exceeds the Total Credit Card Receipts Per Statements. A negative variance indicates that the Total Reported Credit Card Receipts is less than the Total Credit Card Receipts Per Statements.

e) A comparison of the Campaign's submitted bank statements with information reported in the Campaign's disclosure statements revealed the following overall net discrepancies in reporting:²

RECEIPTS:

TOTAL REPORTED	TOTAL CREDITS PER	DOLLAR	
MONETARY RECEIPTS ³	BANK STATEMENTS	VARIANCE	PERCENT VARIANCE
\$29,889.37	\$12,102.50	\$17,786.85	59.51%

DISBURSEMENTS:

TOTAL REPORTED			
MONETARY	TOTAL DEBITS PER		
DISBURSEMENTS ⁴	BANK STATEMENTS	DOLLAR VARIANCE	PERCENT VARIANCE
\$29,606.10	\$12,204.95	\$17,401.15	58.78%

Also see Finding a) above.

Previously Provided Recommendation

- a) The Campaign must provide all pages of the requested bank statements.
- b) The Campaign must amend its disclosure statements to report these transactions. The Campaign must also provide documentation for each transaction. Because bank statements provide limited information about a transaction, the Campaign should review invoices or other records to obtain all of the information necessary to properly report the transaction.
- c) For each transaction reported in the Campaign's disclosure statement(s) that does not appear on the Campaign's bank statements, the Campaign must provide evidence to show that the transaction cleared the bank (i.e., a copy of the front and back of the check, and the bank statement showing the payment). Alternatively, the Campaign may provide evidence that the transaction was reported in error, or amend the Campaign's disclosure statement to void the check. For each voided check, the Campaign must either issue a replacement check or forgive the expenditure payment. Any forgiven liabilities will be considered in-kind contributions, which could result in contribution limit violations, or be considered contributions from a prohibited

² The percentage variance is determined by subtracting the Total Per Bank Statements amount from the Total Reported amount, and then dividing by the Total Reported amount. A positive variance indicates that the Total Reported amount exceeds the Bank Statements amount. A negative variance indicates that the Total Reported amount is less than the Bank Statements amount.

³ Total Reported Monetary Receipts includes monetary contributions, other receipts, public funds payments, transfers-in, loans, and expenditure refunds.

⁴ Total Reported Monetary Disbursements includes bill payments, transfers-out, loan repayments, returns of public funds, and contribution refunds.

source. The Campaign may need to contact the payee to determine why the transaction did not clear.

- d) To resolve the listed discrepancies, the Campaign must compare the credit card receipts reported in its financial disclosure statements to supporting documentation, including merchant account statements, deposit slips, bank statements, and any documentation not previously submitted. The Campaign should ensure it has disclosed all depository and merchant accounts, and provided all statements from inception through present for those accounts. The Campaign should also review documentation to ensure that it correctly characterized the instrument type (i.e., Cash, Credit Card, Check, etc.) of each receipt it reported. The Campaign may need to amend its disclosure statements as a result.
- e) The Campaign must compare information reported on its financial disclosure statements to bank statements and supporting documentation for contributions and expenditures to identify and resolve the listed discrepancies. The Campaign may need to amend its disclosure statements and provide additional bank statements. The individual reporting errors and missing documentation identified in other parts of this finding are the source of some, or all, of the variances cited, and as a result, responses to other parts of this finding will likely affect the cited variances. In responding to other parts of the finding, the Campaign should evaluate whether its response also addresses the overall discrepancies noted above.

Please note that any newly entered transactions that occurred during the election cycle (01/12/10—01/11/14) will appear as new transactions in an amendment to Disclosure Statement 16, even if the transaction dates are from earlier periods. Any transactions dated after the election cycle will appear in disclosure statements filed with the New York State Board of Elections. Also note that the Campaign must file an amendment for each disclosure statement in which transactions are being modified. Once all data entry is completed, the Campaign should run the Modified Statements Report in C-SMART to identify the statements for which the Campaign must submit amendments. The C-SMART draft and final submission screens also display the statement numbers for which the Campaign should file amendments. If the Campaign added any new transactions, it must submit an amendment to Disclosure Statement 16.5

Campaign's Response

a — e) The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

a) The Board found the Campaign in violation and assessed \$282 in penalties.

⁵ If the Campaign amends its reporting with the CFB, it must also submit amendments to the New York State Board of Elections.

b — d) The Board has taken no further action on this matter other than to make this a part of the Candidate's record with the Board.

e) The Board found the Campaign in violation and assessed \$847 in penalties.

2. Failure to File and Late Filings

Campaigns are required to file disclosure statements on scheduled dates. *See* New York City Charter §1052(a)(8), Admin. Code §§ 3-703(6) and 3-708(8); Rules 1-09(a) and 3-02.

The Campaign failed to file the following disclosure statements by the due date:

STATEMENT#	DUE DATE	DATE FILED	# DAYS LATE
10	08/09/13	08/10/13	1
12	09/20/13	N/A	Missing

Previously Provided Recommendation

The Campaign must explain the lateness of *and/or* failure to file the statements listed above. The Campaign may provide documentation regarding the lateness of, or failure to file, statements if it was not previously submitted.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$453 in penalties.

3. Daily Pre-Election Disclosure – Statements of Contributions/Expenditures

During the 14 days preceding an election, if a candidate: (1) accepts a loan, contribution, or contributions from a single source in excess of \$1,000; or (2) makes aggregate expenditures to a single vendor in excess of \$20,000, the candidate shall report such contributions, loans, and expenditures to the Board in a disclosure, received by the Board within 24 hours of the reportable transaction. *See* Rule 3-02(e). This includes additional payments of any amount to vendors who have received aggregate payments in excess of \$20,000 during the 14-day pre-election period.

These contributions and expenditures must also be reported in the Campaign's next disclosure statement.

The Campaign did not file the required daily disclosure to report the following transaction:

CONTRIBUTION:

	STATEMENT/		
	SCHEDULE/	RECEIVED	
Name	TRANSACTION	DATE	AMOUNT
New Yorkers Putting Students F	16/ABC/R0000800	09/09/13	\$1,100.00

Previously Provided Recommendation

If the Campaign believes it filed the required daily disclosure timely, as part of its response it must submit the C-SMART disclosure statement confirmation email as proof of the submission. The Campaign may provide an explanation if it believes that its failure to file the daily disclosure is not a violation, but it cannot file daily pre-election disclosures now.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board has taken no further action on this matter other than to make this a part of the Candidate's record with the Board.

4. Disclosure – Possible Subcontractors

Subcontractors are vendors that a campaign's vendor hires to supply goods/services. If a vendor hired by a campaign pays a subcontractor more than \$5,000, the campaign must report the vendor, the name and address of the subcontractor, the amounts paid to the subcontractor, and the purpose of the subcontracted goods/services. *See* Rule 3-03(e)(3).

The vendor listed below received large payments and may have subcontracted goods and services. However, the Campaign did not report subcontractors used by this vendor:

PAYEE	AMOUNT PAID
The Advance Group	\$13,402.74

Previously Provided Recommendation

The Campaign must contact the vendor, who must verify whether subcontractors were used. The Campaign may provide the vendor with a copy of the Subcontractor Form (available on the CFB website at http://www.nyccfb.info/PDF/forms/subcontractor disclosure form.pdf) for this purpose, and submit the completed form with the Campaign's response. In addition, if subcontractors were used and paid more than \$5,000, the Campaign must amend its disclosure statements to report subcontractor information. If the vendor does not complete the Subcontractor Form, the Campaign should submit documentation of its attempts to obtain this information, including copies of certified mail receipts and the letters sent to the vendors.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$28 in penalties.

Contribution Findings

5. Prohibited Contributions – Contributions Over the Limit

Campaigns may not accept contributions, either directly or by transfer, from any single source in excess of the applicable contribution limit for the entire election cycle. A single source includes, but is not limited to, any person or entity who or which establishes, maintains, or controls another entity and every entity so established, maintained, or controlled. *See* Rule 1-04(h). Cumulative contributions from a single source may include monetary contributions, in-kind contributions, and outstanding loans or advances, etc.

Candidates participating in the Program may contribute up to three times the contribution limit to their own campaign. *See* Admin. Code § 3-703(1)(h). Non-participating candidates are not limited in the amount they can contribute to their own campaign from their own money. *See* Admin. Code § 3-719(2)(b).

The Campaign accepted contributions in excess of the contribution limit in the following instance:

CONTRIBUTIONS OVER THE LIMIT

. *	(1) (1)
13 \$1,500.00	
*	
13 \$1,500.00	(1)
12 \$1.500.00	(1)
E AMOUNT	Note
CE	

⁽¹⁾ See also Findings #1 c) and #8 b).

Previously Provided Recommendation

The Campaign must address each outstanding contribution limit violation:

- The Campaign must refund the over-the-limit portion of each contribution by bank or certified check and provide the CFB with copies of the refund check or pay the New York City Election Campaign Fund (the "Public Fund") an amount equal to the amount of the overage.
- If the Campaign disagrees with this finding, it must provide an explanation and documentation to demonstrate that it did not accept contributions in excess of the limit.

Even if the portion of the contribution in excess of the limit is refunded, accepting a contribution in excess of the limit may result in a finding of violation and the assessment of a penalty.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$340 in penalties.

6. Prohibited Contributions - Corporate/Partnership/LLC

Campaigns may not accept, either directly or by transfer, any contribution, loan, guarantee, or other security for a loan from any corporation. This prohibition also applies to contributions received after December 31, 2007 from any partnership, limited liability partnership (LLP), or limited liability company (LLC). *See* New York City Charter §1052(a)(13); Admin. Code §§ 3-703(1)(*l*), 3-719(d); Rules 1-04(c), (e).

The Campaign accepted contributions from entities listed on the New York State Department of State's website as corporations, partnerships, and/or LLCs in the instances detailed in Exhibit II.

Previously Provided Recommendation

The Campaign must address each transaction individually:

- The Campaign must refund each prohibited contribution by bank or certified check, and provide the CFB with a copy of the refund check, or pay the Public Fund an amount equal to the contribution.
- Alternatively, the Campaign may provide documentation or evidence showing that the contribution was not from a prohibited entity.
- If a prohibited contribution results from an uncleared transaction that has been considered to be an in-kind contribution, the Campaign may provide proof of payment (such as a copy of the front and back of the cancelled expenditure check and/or the associated bank statement showing that the payment was made). If the prohibited source was not paid for the reported expenditure, the Campaign must issue a payment by bank or certified check, and provide the CFB with a copy of the refund check, or pay the Public Fund an amount equal to the amount of the expenditure.

Even if the prohibited contribution is refunded, accepting a prohibited contribution may result in a finding of violation and the assessment of a penalty.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$3,669 in penalties.

7. Prohibited Contributions - Unregistered Political Committees

Participating campaigns may not, either directly or by transfer, accept any contribution, loan, guarantee, or other security for a loan from any political committee, unless it is registered with the CFB, or registers within ten days of receipt of the contribution. *See* Admin. Code §§ 3-703(1)(k), 3-707; Rule 1-04(d).

A list of registered political committees can be viewed on the CFB's website, www.nyccfb.info. Political committees are often required to register with governmental agencies other than the CFB; however, registering with those agencies does not register them with the CFB.

The Campaign accepted a contribution from an unregistered political committee in the following instance:

CONTRIBUTIONS FROM UNREGISTERED POLITICAL COMMITTEES

	STATEMENT/			
	SCHEDULE/	RECEIVED		
NAME	TRANSACTION	DATE	AMOUNT	Note
Educational Fund	10/ABC/R0000167	07/23/13	\$2,750.00	(1)

(1) The Campaign was previously informed of this finding in a notice from the CFB sent on August 12, 2013. In response, the Campaign contacted the political committee and attempted to have it register with the CFB. The organization did not complete the registration process. Therefore, this political committee remains unregistered for the 2013 election cycle.

Previously Provided Recommendation

The Campaign must address each prohibited contribution as follows:

- The Campaign must refund each prohibited contribution by bank or certified check, and provide the CFB with a copy of the refund check; or pay the Public Fund an amount equal to the contribution.
- The above finding may not be a violation if the Campaign can demonstrate that 1) the political committee is actually registered, or 2) the source of the contribution is actually a different and permissible type of entity, misreported as a political committee. If the Campaign maintains that accepting this contribution was not a violation, it may submit documentation (such as a copy of the contribution check or proof of the name or type of entity) showing that accepting the contribution was not a violation.

Even if the prohibited contribution is refunded, accepting a prohibited contribution may result in a finding of violation and the assessment of a penalty.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$1,694 in penalties.

8. Undocumented or Unreported In-Kind Contributions

In-kind contributions are goods or services provided to a campaign for free, paid by a third party, or provided at a discount not available to others. The amount of the in-kind contribution is the difference between the fair market value of the goods or services and the amount the Campaign paid. Liabilities for goods and services for the Campaign which are forgiven, in whole or part, are also in-kind contributions. In addition, liabilities for goods and services outstanding beyond 90 days are in-kind contributions unless the vendor has made commercially reasonable attempts to collect. An in-kind contribution is both a contribution and expenditure subject to both the contribution and expenditure limits. Volunteer services are not in-kind contributions. In-kind contributions are subject to contribution source restrictions. *See* Admin. Code § 3-702(8); Rules 1-02 and 1-04(g). Campaigns may not accept contributions from any corporation, partnership, limited liability partnership (LLP), or limited liability company (LLC). *See* Admin. Code § 3-703(1)(1).

Campaigns are required to report all in-kind contributions they receive. *See* Admin. Code § 3-703(6); Rule 3-03. In addition, campaigns are required to maintain and provide the CFB documentation demonstrating the fair market value of each in-kind contribution. *See* Admin. Code §§ 3-703(1)(d), (g); Rules 1-04(g)(2) and 4-01(c).

a) The Campaign reported, but failed to adequately document, the following in-kind contributions. Due to the lack of documentation, the fair market value and the source of the inkind contributions could not be substantiated.

	STATEMENT/			
	SCHEDULE/	RECEIVED		
NAME	TRANSACTION	DATE	AMOUNT	Note
Students First	16/D/R0000823	08/05/13	\$119.24	(1)
Students First	16/D/R0000809	09/04/13	\$29.81	(1)
Porot, Scott	16/D/R0000808	09/04/13	\$500.00	
Students First	16/D/R0000821	09/06/13	\$59.61	(1)
Students First	16/D/R0000822	09/10/13	\$1,284.40	(1)

- (1) This may also be a prohibited corporate contribution. See Finding #6.
- b) The Campaign reported the expenditures listed on Exhibit III. However, the reported payments for these expenditures are not present on any of the bank statements provided by the Campaign, nor are they reported as outstanding liabilities. (*See* also Finding #1 c).) As a result, the Campaign's reporting and documentation indicate that a third party paid for these transactions, or that the goods or services were provided by the reported payee for free.

Previously Provided Recommendation

- a) The Campaign must provide supporting documentation for each in-kind contributions listed. Supporting documentation may include, but is not limited to, invoices, appraisals, and estimates of the fair market value. Documentation must include the name and address of the contributor, provide a detailed description of the goods/services, and explain the cost basis for valuing each in-kind contribution from the reported contributor. If the documentation is from a vendor that the contributor paid, the Campaign must also provide evidence that the reported contributor paid the vendor, e.g., a copy of the cancelled check, or a signed statement from the contributor verifying that she or he made the payment for the in-kind contribution. If the Campaign cannot document the fair market value, the Campaign must explain why it cannot provide adequate documentation.
- b) For each transaction, the Campaign must provide a written explanation describing how the good or service was purchased, or provided, and who paid for it. If the Campaign paid the expenditure, it must provide evidence to show that the transaction cleared the bank (i.e., a copy of the front and back of the check, and the bank statement showing the payment). Alternatively, the Campaign may provide evidence that the transaction was reported in error. If the reported payee donated the goods or services, or they were purchased or donated by a third party, the Campaign must submit an in-kind contribution form completed by the contributor, and report the item as an in-kind contribution by submitting an amendment to Statement 16. (See also Finding #1 c).)

Campaign's Response

a — b) The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

a — b) The Board has taken no further action on this matter other than to make this a part of the Candidate's record with the Board. *See* Finding #6.

9. Contribution Documentation

Campaigns are required to provide copies of checks, bills, or other documentation to verify all transactions reported in their disclosure statements. *See* Admin. Code §§ 3-703(1)(d), (g); Rule 4-01.

The Campaign must provide supporting documentation for the reported transactions listed below:

	TRANSACTION	STATEMENT/ SCHEDULE/	REFUNDED/		
NAME	Түре	TRANSACTION	PAID DATE	AMOUNT	Note
Kalba, Heslop	Contribution Refund	10/M/R0000414	07/18/13	\$175.00	(1)
Massena, Alan	Contribution Refund	10/M/R0000413	07/24/13	\$250.00	(1)
Daniel, Kathleen	Contribution Refund	10/M/R0000228	08/01/13	\$35.00	(2)
Daniel, Kathleen	Loan Repayment	10/J/R0000411	08/01/13	\$1,000.00	(2)
Daniel, Kathleen	Loan Repayment	Unreported	08/15/13	\$1,000.00	(3)
Daniel, Kathleen	Loan Repayment	10/J/R0000669	08/22/13	\$593.00	(2)

- (1) The Campaign previously provided a copy of the bank check for this contribution refund. However, the Campaign failed to provide bank statements demonstrating that the check was paid from the Campaign's account. The Campaign must provide the applicable bank statement or other evidence demonstrating that the Campaign paid for this refund. *See* also Findings #1 c) and #6.
- (2) The Campaign previously provided a copy of the cancelled check for this transaction. However, the Campaign failed to provide bank statements demonstrating that the check was paid from the Campaign's account. The Campaign must provide the applicable bank statement or other evidence demonstrating that the Campaign paid for this refund. *See* also Finding #1 c).
- (3) During its pre-election compliance visit on August 19, 2013, the Campaign submitted a check image for an unreported loan repayment. The check is #149, drawn from the Campaign's checking account ending in 2019.

Previously Provided Recommendation

The Campaign must submit documentation for each transaction listed above.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$56 in penalties.

Other Findings

10. Failure to Respond Timely

Campaigns are required to respond timely to requests from the CFB. See Admin. Code § 3-703(1)(d); Rules 1-09, 4-01.

The Campaign failed to submit, by the due date, the following:

REQUEST	DUE DATE	DATE SUBMITTED
Initial Documentation Request	01/27/14	Missing
Draft Audit Report	11/26/15	Missing

Previously Provided Recommendation

For each of the CFB's requests listed above, the Campaign may provide a written explanation for its failure to respond. The explanation must be accompanied by documentation, such as a certified mail receipt, or other relevant documentation regarding its failure to respond.

Campaign's Response

The Campaign did not respond to its Draft Audit Report or its Notice of Alleged Violations and Recommended Penalties.

Board Action

The Board found the Campaign in violation and assessed \$1,000 in penalties.

We performed this audit in accordance with the audit responsibilities of the CFB as set forth in Admin. Code § 3-710. We limited our review to the areas specified in this report's audit scope.

Respectfully submitted,



Signature on original

Sauda S. Chapman

Director of Auditing and Accounting

Date: July 15, 2016

Staff: Hannah Golden

Christopher Cruzcosa, CFE

New York City Campaign Finance Board Campaign Finance Information System Transaction Summary Report Appendix 1

Candidate: Daniel, Kathleen (ID:1767-P)

Office: 5 (City Council)

Election: 2013

1. Opening cash balance (All committees)		\$0.00	
2. Total itemized monetary contributions (Sch ABC)		\$26,296.00	
3. Total unitemized monetary contributions		\$0.00	
4. Total in-kind contributions (Sch D)		\$1,993.06	
5. Total unitemized in-kind contributions		\$0.00	
6. Total other receipts (Sch E - excluding CFB payments)		\$0.00	
7. Total unitemized other receipts		\$0.00	
8. Total itemized expenditures (Sch F)		\$26,553.10	
Expenditure payments	\$25,980.89		
Advance repayments	\$572.21		
9. Total unitemized expenditures		\$0.00	
10. Total transfers-In (Sch G)		\$0.00	
Type 1	\$0.00		
Type 2a	\$0.00		
Type 2b	\$0.00		
11. Total transfers-out (Sch H)		\$0.00	
Type 1	\$0.00		
Type 2a	\$0.00		
Type 2b	\$0.00		
12. Total loans received (Sch I)		\$3,593.37	
13. Total loan repayments (Sch J)		\$2,593.00	
14. Total loans forgiven (Sch K)		\$0.00	
15. Total liabilities forgiven (Sch K)		\$0.00	
16. Total expenditures refunded (Sch L)		\$0.00	
17. Total receipts adjustment (Sch M - excluding CFB repayments)		\$460.00	
18. Total outstanding liabilities (Sch N - last statement submitted)		\$20,584.50	
Outstanding Bills	\$20,307.43		
Outstanding Advances	\$277.07		
19. Total advanced amount (Sch X)		\$0.00	
20. Net public fund payments from CFB		\$0.00	
Total public funds payment	\$0.00		
Total public funds returned	\$0.00		
21. Total Valid Matchable Claims		\$9,495.00	
22. Total Invalid Matchable Claims		\$2,100.00	
23. Total Amount of Penalties Assessed		N/A	
24. Total Amount of Penalty Payments		\$0.00	
25. Total Amount of Penalties Withheld		\$0.00	

Check No./

Transaction ID	Payee	Account	Transaction	Date	Amount
R0000131	Staples	2019	Debit	06/06/13	\$91.46
R0000266	Simplicity Wine Bar & Cafe	2019	Debit	07/31/13	\$154.16
R0000228	Daniel, Kathleen	2019	CC Refund	08/01/13	\$35.00
R0000409	McClellan, Patrick	2019	142	08/01/13	\$1,500.00
R0000411	Daniel, Kathleen	2019	147	08/01/13	\$1,000.00
R0000636	TD Bank	2019	Debit	08/01/13	\$37.00
R0000649	Petty Cash	2019	debit	08/01/13	\$60.00
R0000632	TD Bank	2019	Debit	08/02/13	\$2.00
R0000634	TD Bank	2019	Debit	08/02/13	\$35.00
R0000655	Petty Cash	2019	debit	08/02/13	\$40.00
R0000189	Ford, Chase	2019	144	08/03/13	\$40.00
R0000191	Campbell, Natasha	2019	143	08/03/13	\$340.00
R0000630	TD Bank	2019	Debit	08/05/13	\$6.00
R0000646	Petty Cash	2019	debit	08/05/13	\$40.00
R0000647	Petty Cash	2019	debit	08/05/13	\$60.00
R0000648	Petty Cash	2019	debit	08/05/13	\$60.00
R0000626	TD Bank	2019	Debit	08/06/13	\$2.00
R0000628	Dominos Pizza	2019	Debit	08/06/13	\$58.26
R0000645	Petty Cash	2019	debit	08/06/13	\$60.00
R0000620	TD Bank	2019	Debit	08/07/13	\$2.00
R0000622	Dunkin Donuts	2019	Debit	08/07/13	\$6.13
R0000624	De Islands	2019	Debit	08/07/13	\$10.05
R0000644	Petty Cash	2019	debit	08/07/13	\$20.00
R0000542	Crew, Guenita	2019	146	08/08/13	\$280.00
R0000616	TD Bank	2019	Debit	08/08/13	\$6.00
R0000641	Petty Cash	2019	debit	08/08/13	\$20.00
R0000642	Petty Cash	2019	debit	08/08/13	\$20.00
R0000643	Petty Cash	2019	debit	08/08/13	\$60.00
R0000614	TD Bank	2019	Debit	08/09/13	\$2.00
R0000640	Petty Cash	2019	debit	08/09/13	\$40.00
R0000546	St. Pauls Pentecostal Church	2019	148	08/12/13	\$100.00
R0000413	Massena, Alan		81289010-2	08/13/13	\$250.00
R0000414	Kalba, Heslop		81289009-1	08/13/13	\$175.00
R0000612	TD Bank	2019	Debit	08/13/13	\$2.00

Check No./

			CHECK 110.		
Transaction ID	Payee	Account	Transaction	Date	Amount
R0000637	Petty Cash	2019	debit	08/13/13	\$40.00
R0000638	Petty Cash	2019	debit	08/13/13	\$40.00
R0000639	Petty Cash	2019	debit	08/13/13	\$60.00
R0000672	TD Bank	2019	Debit	08/13/13	\$16.00
R0000521	Collier, Vladimir	2019	108	08/16/13	\$245.00
R0000523	Bucknor, Charles	2019	109	08/16/13	\$85.00
R0000534	Hunter, Dawayne	2019	150	08/16/13	\$230.00
R0000519	McClellan, Patrick	2019	110	08/19/13	\$1,500.00
R0000610	TD Bank	2019	Debit	08/19/13	\$70.00
R0000606	Dominos Pizza	2019	Debit	08/22/13	\$36.77
R0000608	TD Bank	2019	Debit	08/22/13	\$35.00
R0000669	Daniel, Kathleen	2019	111	08/22/13	\$593.00
R0000600	Harland Clarke	2019	Debit	08/23/13	\$31.25
R0000602	Applebees	2019	Debit	08/23/13	\$37.02
R0000604	TD Bank	2019	Debit	08/23/13	\$35.00
R0000569	MTA	2019	Debit	08/26/13	\$6.00
R0000571	MTA	2019	Debit	08/26/13	\$6.00
R0000573	MTA	2019	Debit	08/26/13	\$6.00
R0000575	MTA	2019	Debit	08/26/13	\$6.00
R0000577	MTA	2019	Debit	08/26/13	\$6.00
R0000579	MTA	2019	Debit	08/26/13	\$6.00
R0000581	MTA	2019	Debit	08/26/13	\$6.00
R0000583	MTA	2019	Debit	08/26/13	\$6.00
R0000585	MTA	2019	Debit	08/26/13	\$6.00
R0000587	MTA	2019	Debit	08/26/13	\$6.00
R0000594	Peaches	2019	Debit	08/26/13	\$40.93
R0000596	99 Cents Store	2019	Debit	08/26/13	\$64.50
R0000598	OfficeMax	2019	Debit	08/26/13	\$335.79
R0000668	Campbell, Natasha	2019	151	08/28/13	\$200.00
R0000825	EDclectic Entertainment	2019	152	08/30/13	\$350.00
R0000709	Collier, Vladimir	2019	157	08/31/13	\$150.00
R0000711	Collier, Asya	2019	158	08/31/13	\$150.00
R0000713	Hunter, Dawayne	2019	159	08/31/13	\$190.00
R0000715	Bucknor, Charles	2019	160	08/31/13	\$190.00

Ch	eck	N	n./

Transaction ID	Payee	Account	Transaction	Date	Amount
R0000717	St. Louis-Perera, Maggie	2019	161	08/31/13	\$190.00
R0000719	Clark, Zaquan	2019	162	08/31/13	\$195.00
R0000721	Bristow, Shannen	2019	163	08/31/13	\$195.00
R0000723	Pilgrim, Armani	2019	164	08/31/13	\$190.00
R0000725	Llyod, Matthew	2019	165	08/31/13	\$195.00
R0000727	Graham, Basheem	2019	166	08/31/13	\$195.00
R0000729	Jones, Naquan	2019	167	08/31/13	\$195.00
R0000731	Griffin, Vernnell	2019	168	08/31/13	\$140.00
R0000733	Sistrunk, Gregory	2019	171	08/31/13	\$95.00
R0000735	Santiago, Jonathan	2019	172	08/31/13	\$150.00
R0000737	Goines, Audrey	2019	173	08/31/13	\$100.00
R0000752	TD Bank	2019	Debit	08/31/13	\$8.00
R0000757	Pilgrim, Lydia	2019	154	08/31/13	\$300.00
R0000759	Jacob-Howard, Syneque	2019	179	08/31/13	\$50.00
R0000745	TD Bank	2019	Debit	09/03/13	\$8.00
R0000748	The Home Depot	2019	Debit	09/03/13	\$64.42
R0000750	Exxon	2019	Debit	09/03/13	\$94.99
R0000876	Sara USA Inc.	2019	Debit	09/03/13	\$445.00
R0000878	Sara USA Inc.	2019	Debit	09/03/13	\$680.00
R0000879	Sara USA Inc.	2019	Debit	09/03/13	\$247.00
R0000884	Petty Cash	2019	debit	09/03/13	\$20.00
R0000886	Petty Cash	2019	debit	09/03/13	\$20.00
R0000888	Petty Cash	2019	debit	09/03/13	\$200.00
R0000891	Petty Cash	2019	debit	09/03/13	\$80.00
R0000892	Petty Cash	2019	debit	09/03/13	\$40.00
R0000739	Subway (Sandwich Shop)	2019	Debit	09/04/13	\$8.81
R0000741	NYC Taxi	2019	Debit	09/04/13	\$22.10
R0000743	Staples	2019	Debit	09/04/13	\$82.30
R0000883	Dominos Pizza	2019	Debit	09/05/13	\$20.95
R0000763	Sistrunk, Gregory	2019	181	09/07/13	\$170.00
R0000775	Allen, Richard	2019	190	09/07/13	\$100.00
R0000781	Hunter, Dawayne	2019	193	09/07/13	\$280.00
R0000783	Collier, Vladimir	2019	196	09/07/13	\$315.00
R0000785	Collier, Asya	2019	197	09/07/13	\$225.00

		TA T	,
(h	eck	NO	./

			CHECK NO./		
Transaction ID	Payee	Account	Transaction	Date	Amount
R0000787	Jacob-Howard, Syneque	2019	198	09/07/13	\$170.00
R0000828	Mattingly, Chimene	2019	188	09/07/13	\$170.00
R0000830	Mattingly, Chimene	2019	186	09/07/13	\$140.00
R0000832	Bucknor, Charles	2019	195	09/07/13	\$330.00
R0000834	Pilgrim, Lydia	2019	200	09/07/13	\$135.00
R0000838	Pilgrim, Armani	2019	194	09/07/13	\$180.00
R0000877	Sara USA Inc.	2019	Debit	09/09/13	\$1,070.00
R0000882	Delhi Heights	2019	Debit	09/09/13	\$28.96
R0000866	TD Bank	2019	Debit	09/10/13	\$175.00
R0000862	TD Bank	2019	Debit	09/11/13	\$35.00
R0000864	TD Bank	2019	Debit	09/11/13	\$35.00
R0000858	TD Bank	2019	Debit	09/12/13	\$35.00
R0000860	TD Bank	2019	Debit	09/12/13	\$70.00
R0000874	Dominos Pizza	2019	Debit	09/12/13	\$46.34
R0000854	TD Bank	2019	Debit	09/13/13	\$35.00
R0000856	TD Bank	2019	Debit	09/13/13	\$70.00
R0000852	TD Bank	2019	Debit	09/16/13	\$35.00
R0000850	TD Bank	2019	Debit	09/17/13	\$35.00
R0000848	TD Bank	2019	Debit	09/18/13	\$70.00
R0000846	TD Bank	2019	Debit	09/19/13	\$35.00
R0000844	TD Bank	2019	Debit	09/20/13	\$20.00
R0000842	TD Bank	2019	Debit	09/24/13	\$35.00
700 4 1					A4 = 4 = 4 A

Total <u>\$17,676.19</u>

Exhibit II

Committee to Elect Kathleen Daniel

Corporate Contributions

(see Finding #6)

	Statement/			
	Schedule/	Invoice		
Name	Transaction ID	Date	Amount	Notes
Kalba, Heslop	10/ABC/R0000150	07/18/13	\$175.00	(1)
Kalba, Heslop	11/M/R0000414	08/13/13	(\$175.00)	(1)
Massena, Alan	10/ABC/R0000166	07/24/13	\$250.00	(2)
Massena, Alan	11/M/R0000413	08/13/13	(\$250.00)	(2)
Students First	16/D/R0000809	08/05/13	\$119.24	(3)
De Islands	11/F/R0000624	08/07/13	\$10.05	(4)
EDclectic Entertainment	16/F/R0000825	08/30/13	\$350.00	(5)
Sara USA Inc.	16/F/R0000876	09/03/13	\$445.00	(6)
Sara USA Inc.	16/F/R0000878	09/03/13	\$680.00	(6)
Sara USA Inc.	16/F/R0000879	09/03/13	\$247.00	(6)
Students First	16/D/R0000823	09/04/13	\$29.81	(3)
Students First	16/D/R0000821	09/06/13	\$59.61	(3)
Sara USA Inc.	16/F/R0000877	09/09/13	\$1,070.00	(6)
Delhi Heights	16/F/R0000882	09/09/13	\$28.96	(7)
Students First	16/D/R0000822	09/10/13	\$1,284.40	(3)
Total			\$4,324.07	

Exhibit II

Committee to Elect Kathleen Daniel Corporate Contributions (see Finding #6)

Notes:

- (1) Although the Campaign reported the contribution as shown, the documentation provided indicates that this contribution was from Kalba & Heslop, LLC. In response to the CFB notification of August 12, 2013, the Campaign previously provided a copy of a bank check refunding the original contribution. However, the Campaign has failed to provide bank statements demonstrating that the check was paid from the Campaign's account. The Campaign must provide the applicable bank statement or other evidence demonstrating that the Campaign paid for this refund.
- (2) Although the Campaign reported the contribution as shown, the documentation provided indicates that this contribution was from Massena Law, P.C. In response to the CFB notification of August 12, 2013, the Campaign previously provided a copy of a bank check refunding the original contribution. However, the Campaign has failed to provide bank statements demonstrating that the check was paid from the Campaign's account. The Campaign must provide the applicable bank statement or other evidence demonstrating that the Campaign paid for this refund.
- (3) The reporting indicates that this in-kind contribution was from StudentsFirst New York, Inc. *See* also Finding #8 a).
- (4) This is an uncleared transaction; *see* also Findings #1 c) and #8 b). In addition, although the Campaign reported the contribution as shown, the documentation provided indicates that this contribution was from De Islands Corp.
- (5) This is an uncleared transaction; *see* also Findings #1 c) and #8 b). In addition, although the Campaign reported the contribution as shown, the documentation provided indicates that this contribution was from Edclectic Entertainment Company Limited.
- (6) This is an uncleared transaction; see also Findings #1 c) and #8 b).
- (7) This is an uncleared transaction; *see* also Findings #1 c) and #8 b). In addition, although the Campaign reported the contribution as shown, the documentation provided indicates that this contribution was from Delhi Heights, LLC.

Exhibit III
Committee to Elect Kathleen Daniel
Unreported In-Kind Contributions
(see Finding #8b)

Statement/ Schedule/ Invoice Paid Name **Transaction ID Purpose Code Date Date Amount Notes** Simplicity Wine Bar & Cafe 10/F/R0000266 **FUNDR** 07/31/13 07/31/13 \$154.16 McClellan, Patrick 10/F/R0000409 **WAGES** 08/01/13 08/01/13 \$1,500.00 (1) **OTHER** TD Bank 11/F/R0000636 08/01/13 08/01/13 \$37.00 **WAGES** McClellan, Patrick 11/F/R0000519 08/02/13 \$1,500.00 08/19/13 (1) **OTHER** 11/F/R0000634 TD Bank 08/02/13 08/02/13 \$35.00 **OTHER** TD Bank 11/F/R0000630 08/05/13 \$6.00 08/05/13 11/F/R0000628 **WAGES** 08/06/13 Dominos Pizza 08/06/13 \$58.26 11/F/R0000622 **WAGES** \$6.13 **Dunkin Donuts** 08/07/13 08/07/13 De Islands 11/F/R0000624 **WAGES** 08/07/13 08/07/13 \$10.05 (2) TD Bank 11/F/R0000616 **OTHER** 08/08/13 08/08/13 \$6.00 11/F/R0000546 **OTHER** St. Pauls Pentecostal Church 08/12/13 08/12/13 \$100.00 16/F/R0000672 **OTHER** TD Bank 08/13/13 08/13/13 \$16.00 11/F/R0000610 **OTHER** TD Bank 08/19/13 08/19/13 \$70.00 **OTHER** 11/F/R0000608 08/22/13 08/22/13 \$35.00 TD Bank **WAGES** Dominos Pizza 11/F/R0000606 08/22/13 08/22/13 \$36.77 TD Bank 11/F/R0000604 **OTHER** 08/23/13 08/23/13 \$35.00 Harland Clarke 11/F/R0000600 **OTHER** 08/23/13 08/23/13 \$31.25 **Applebees** 11/F/R0000602 **OTHER** 08/23/13 08/23/13 \$37.02 MTA 11/F/R0000569 **OTHER** 08/26/13 08/26/13 \$6.00 **OTHER** MTA 11/F/R0000575 08/26/13 08/26/13 \$6.00 11/F/R0000571 **OTHER** 08/26/13 MTA 08/26/13 \$6.00 **OTHER** 11/F/R0000577 08/26/13 \$6.00 **MTA** 08/26/13 **OTHER** MTA 11/F/R0000573 08/26/13 \$6.00 08/26/13 11/F/R0000581 **OTHER** MTA 08/26/13 08/26/13 \$6.00 MTA 11/F/R0000583 **OTHER** 08/26/13 08/26/13 \$6.00 11/F/R0000579 **OTHER** MTA 08/26/13 08/26/13 \$6.00

Exhibit III Committee to Elect Kathleen Daniel **Unreported In-Kind Contributions** (see Finding #8b)

Statement/ Schedule/ Invoice Paid Name **Transaction ID Purpose Code Date Date Amount Notes** MTA 11/F/R0000587 **OTHER** 08/26/13 08/26/13 \$6.00 MTA 11/F/R0000585 **OTHER** 08/26/13 08/26/13 \$6.00 11/F/R0000594 **WAGES** Peaches 08/26/13 08/26/13 \$40.93 OFFCE OfficeMax 11/F/R0000598 08/26/13 \$335.79 08/26/13 OFFCE 11/F/R0000596 \$64.50 99 Cents Store 08/26/13 08/26/13 **OTHER** 16/F/R0000825 08/30/13 08/30/13 \$350.00 **EDclectic Entertainment** (2) 16/F/R0000752 **OTHER** 08/31/13 \$8.00 TD Bank 08/31/13 16/F/R0000745 **OTHER** 09/03/13 \$8.00 TD Bank 09/03/13 The Home Depot 16/F/R0000748 OFFCE 09/03/13 09/03/13 \$64.42 Exxon 16/F/R0000750 **OTHER** 09/03/13 09/03/13 \$94.99 16/F/R0000876 OFFCE Sara USA Inc. 09/03/13 09/03/13 \$445.00 (2) 16/F/R0000878 OFFCE Sara USA Inc. 09/03/13 09/03/13 \$680.00 (2) 16/F/R0000879 OFFCE Sara USA Inc. 09/03/13 09/03/13 \$247.00 (2) **OTHER** 16/F/R0000739 09/04/13 \$8.81 Subway (Sandwich Shop) 09/04/13 **OTHER NYC** Taxi 16/F/R0000741 09/04/13 \$22.10 09/04/13 16/F/R0000743 OFFCE 09/04/13 Staples 09/04/13 \$82.30 Dominos Pizza 16/F/R0000883 **OTHER** 09/05/13 09/05/13 \$20.95 Sara USA Inc. 16/F/R0000877 OFFCE 09/09/13 09/09/13 \$1,070.00 (2) OFFCE 16/F/R0000882 09/09/13 09/09/13 \$28.96 (2) Delhi Heights **OTHER** TD Bank 16/F/R0000866 09/10/13 09/10/13 \$175.00 16/F/R0000862 **OTHER** \$35.00 TD Bank 09/11/13 09/11/13 TD Bank 16/F/R0000864 **OTHER** 09/11/13 09/11/13 \$35.00 **WAGES** Dominos Pizza 16/F/R0000874 09/12/13 \$46.34 09/12/13 16/F/R0000858 **OTHER** TD Bank 09/12/13 09/12/13 \$35.00 TD Bank 16/F/R0000860 **OTHER** 09/12/13 09/12/13 \$70.00 16/F/R0000854 **OTHER**

09/13/13

09/13/13

\$35.00

TD Bank

Exhibit III Committee to Elect Kathleen Daniel Unreported In-Kind Contributions (see Finding #8b)

	Statement/ Schedule/		Invoice	Paid		
Name	Transaction ID	Purpose Code	Date	Date	Amount	Notes
TD Bank	16/F/R0000856	OTHER	09/13/13	09/13/13	\$70.00	
TD Bank	16/F/R0000852	OTHER	09/16/13	09/16/13	\$35.00	
TD Bank	16/F/R0000850	OTHER	09/17/13	09/17/13	\$35.00	
TD Bank	16/F/R0000848	OTHER	09/18/13	09/18/13	\$70.00	
TD Bank	16/F/R0000846	OTHER	09/19/13	09/19/13	\$35.00	
TD Bank	16/F/R0000844	OTHER	09/20/13	09/20/13	\$20.00	
TD Bank	16/F/R0000842	OTHER	09/24/13	09/24/13	\$35.00	
Total					\$8 036 73	

Notes:

- (1) This contributor may also be over the office limit. See Finding #5.
- (2) This may also be a prohibited corporate contribution. See Finding #6.