



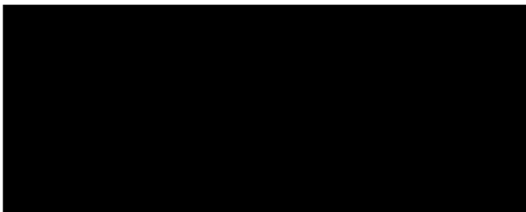
New York City Campaign Finance Board
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Via CFB Portal
April 22, 2025



Dear Anthony Mauriello:

Please find attached the New York City Campaign Finance Board's ("CFB" or "Board") Final Audit Report ("FAR") for the 2023 campaign of Robert F. Holden (the "Campaign"). CFB staff prepared the report based on a review of the Campaign's financial disclosure statements and documentation submitted by the Campaign.

The report concludes that the Campaign has complied with the Campaign Finance Act (the "Act") and the Board Rules (the "Rules"), with exceptions as detailed in the report.

Your campaign must continue to submit ongoing disclosure statements until a Final Statement has been accepted by the CFB. Please contact your CSU liaison at CandidateServices@nyccfb.info with any questions regarding ongoing disclosure. The Campaign is required to maintain its records for five years after the election, and the CFB may require the Campaign to demonstrate ongoing compliance. See Rules 4-01, and 4-02.

The CFB appreciates the Campaign's cooperation during the 2023 election cycle. Please contact the Audit Unit at AuditMail@nyccfb.info with any questions about the enclosed report.



Sauda S. Chapman
Assistant Executive Director
Campaign Finance Administration

Attachments



EC2023 Final Audit Report

Robert Holden 2023

April 2025

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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 to Borough President and City Council candidates and up to \$250 to candidates for Mayor, Public Advocate and Comptroller 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. The CFB makes this information available via its 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, limited liability companies and 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: Robert F. Holden
ID: 2087
Office Sought: City Council
District: 30

Committee Name: Robert Holden 2023
Classification: Participant
Certification Date: November 10, 2022

Ballot Status: General
General Election Date: November 7, 2023
Party: Democratic, Animal Welfare, Conservative,
Medical Freedom, Republican

Contribution Limit: \$1,050

Expenditure Limit:
2022: \$55,000
2023 General: \$207,000

Public Funds:
Received: \$0
Returned: N/A

Campaign Finance Summary:
<https://bit.ly/3Q0L30F>

AUDIT RESULTS

This report may contain the following findings:

- **Disclosure Findings:** Accurate public disclosure is an important part of the CFB's mission. These findings relate to the Campaign's failure to completely and timely disclose the Campaign's financial activity.
- **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. These findings relate to the Campaign's failure to comply with the requirements for contributions under the Act and Rules.
- **Expenditure Findings:** Campaigns participating in the Campaign Finance Program are required to comply with the spending limit. All campaigns are required to properly disclose and document expenditures and disburse funds in accordance with the Act and Rules. Findings in this section relate to the Campaign's failure to comply with the Act and Rules related to its spending.
- **Public Matching Funds Findings:** The CFB matches contributions from individual New York City residents. The CFB performs reviews to ensure that the correct amount of public funds was received by the Campaign and that public funds were spent in accordance with the Act and Rules. Findings in this section relate to whether any additional public funds are due, or any return of public funds by the Campaign is necessary.

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); Board Rule 4-05. In addition, campaigns are required to deposit all receipts into an account listed on the candidate's Certification. *See* Admin. Code § 3-703(10); Board Rule 5-11(a)(v). 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); Board Rules 4-01(a), (b)(i), (d).

CFB Staff reviewed the following bank and merchant account statements:

BANK	ACCOUNT #	ACCOUNT TYPE	STATEMENT PERIOD
TD Bank	XXXXX5106	Checking	Oct 2022 – Dec 2024
NYCVC/Stripe	XXXXXUUF	Merchant	Jan 2023 – Jan 2025

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 did not provide the statements listed below.

BANK	ACCOUNT #	ACCOUNT TYPE	STATEMENT PERIOD
TD Bank	XXXXX5106	Checking	Dec 2024 to Present

b) The Campaign did not report the following transaction that appears on its bank statements:

ACCOUNT #	NAME	CHECK NO./ TRANSACTION	PAID DATE	AMOUNT	NOTES
XXXXX5106	Unknown	119	09/27/24	\$1,500.00	(1)

(1) This finding was identified as a result of the Campaign's response to the Draft Audit Report.

c) The Campaign reported the following transaction that does not appear on the bank statements it provided:

NAME	CHECK NO./ TRANSACTION	STATEMENT/ SCHEDULE/ TRANSACTION	PAID DATE	AMOUNT	NOTES
O'Neills	124	13/F/R0008332	12/20/24	\$526.03	(1)

(1) This finding was identified as a result of the Campaign's response to the Draft Audit Report.

Previously Provided Recommendation

- a) The Campaign must upload all pages of the requested bank statements to C-SMART. If the account is closed, the Campaign must provide all statements through the closing date and demonstrate that the account closed by submitting a letter or notice from the bank stating that the account was closed. The Campaign must also upload copies of all itemized deposit slips on the missing statements.
- b) This finding was identified as a result of the Campaign's response to the Draft Audit Report.
- c) This finding was identified as a result of the Campaign's response to the Draft Audit Report.
- d) For duplicate transactions, the Campaign must delete the duplicate transactions in C-SMART and amend its disclosure statements. If the transactions are not duplicates, the Campaign must explain why the transactions are not duplicates, and provide supporting documentation. The Campaign may also need to amend its disclosure statements if it did not report transactions accurately.

Please note that any newly entered transactions that occurred during the election cycle (01/15/22—01/12/24) will appear as new transactions in the last disclosure statement you filed, even if the transaction dates are from earlier periods. 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 in C-SMART, the Campaign should run the Modified Statements Report to identify the statements for which the Campaign must submit amendments. The C-SMART submission screen also displays the statement numbers for which the Campaign should file amendments.

Campaign's Response

- a) In response to the Draft Audit Report, the Campaign provided monthly TD Bank statements from June 2024 to November 2024.
- b) This finding was identified as a result of the Campaign's response to the Draft Audit Report.
- c) This finding was identified as a result of the Campaign's response to the Draft Audit Report.

Board's Analysis

- a – c) 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.

2. Prohibited Contributions – Unregistered Political Committees

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; Board Rule 5-04(a).

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.

Prior to the election, the Campaign accepted a contribution from an unregistered political committee in the following instance. After notification from the CFB, the Campaign refunded the contribution after the deadline:

CONTRIBUTIONS FROM UNREGISTERED POLITICAL COMMITTEES WHOSE CONTRIBUTIONS WERE REFUNDED UNTIMELY

NAME	STATEMENT/ SCHEDULE/ TRANSACTION	RECEIVED DATE	AMOUNT	NOTES
UNIFORMED EMTs, PARAMEDICS & FIRE INSPECTORS	3/ABC/R0007450	01/17/23	\$250.00	
UNIFORMED EMTs, PARAMEDICS & FIRE INSPECTORS	6/M/R0008069	06/13/23	\$250.00	(1)

(1) The Campaign was initially notified of this finding with Statement Review Mailing #3, sent on April 17, 2023, with a response due date of May 26, 2023. The Campaign refunded this prohibited contribution on June 13, 2023, which was after the response due date. As such, the refund was untimely.

Previously Provided Recommendation

The Campaign previously refunded the prohibited contribution and no further response is necessary at this time. However, the Campaign may still be penalized for accepting the contribution. If the Campaign disagrees with this finding, it must provide an explanation and documentation to demonstrate that it did not accept the contribution or that the contributor is not a prohibited source.

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

In response to the Draft Audit Report, the Campaign explained that the contribution was refunded.

Board's Analysis

The Campaign failed to refund the contribution from an Unregistered Political Committee before the deadline.

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.

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, or otherwise eligible for an Early Public Funds payment, was opposed by another candidate on the ballot, and met the two-part threshold for receiving public funds. With each disclosure statement, we reviewed the bank records provided by the Campaign and reconciled the activity on the statements provided to the Campaign's reporting. We provided the Campaign with the results of this preliminary bank reconciliation periodically. 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 reconciled the financial activity on the Campaign's bank and merchant account 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. Cash variances were calculated by comparing the total cash contributions reported to the total of cash deposits on itemized deposit slips. Merchant account variances were calculated by comparing the total credit card contributions reported to the total credits in the merchant account statements. 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 2023 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 determine whether public funds should be disbursed to the Campaign 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 7-07.

We determined if the Campaign met its mandatory training requirement based on records of training attendance kept throughout the 2023 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 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.

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. The Campaign responded, and the CFB evaluated any additional documentation provided and/or amendments to reporting made by the Campaign in response. After reviewing the Campaign's response, CFB staff determined that the total recommended penalties for the Campaign's violations did not exceed \$1,000, and as a result the staff chose not to recommend enforcement action to the Board.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. We limited our review to the areas specified in this report's audit scope.



Sauda S. Chapman
Assistant Executive Director
Campaign Finance Administration

Staff: Donna Ross

Amy Xue

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

Candidate: Holden, Robert F (ID:2087-P)**Office:** 5 (City Council)**Election:** 2023

1. Opening cash balance (All committees)		\$0.00
2. Total itemized monetary contributions (Sch ABC)		\$39,418.00
3. Total unitemized monetary contributions		\$0.00
4. Total in-kind contributions (Sch D)		\$0.00
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)		\$30,113.26
Expenditure payments	\$29,987.72	
Advance repayments	\$125.54	
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)		\$2,200.00
13. Total loan repayments (Sch J)		\$2,200.00
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)		\$300.00
18. Total outstanding liabilities (Sch N - last statement submitted)		\$0.00
Outstanding Bills	\$0.00	
Outstanding Advances	\$0.00	
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		\$22,858.00
22. Total Invalid Matchable Claims		N/A
23. Total Amount of Penalties Assessed		N/A
24. Total Amount of Penalty Payments		\$0.00
25. Total Amount of Penalties Withheld		\$0.00