



**New York City
Campaign Finance Board**

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March 15, 2012

By First Class Mail and C-ACCESS

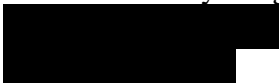
Andy L. King



Renwick Edwards
Treasurer – Friends of Andy King



Friends of Andy King



FINAL BOARD DETERMINATION – EC2009 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on March 15, 2012, made the following final determination concerning the Andy King 2009 Campaign (“Campaign”):

Violations and Penalties

The Board determined that the Candidate, the Treasurer, and Committee named above violated the New York City Campaign Finance Act (“Act”) and Board Rules and are jointly and severally liable for paying \$3,786 in penalties as follows:

1. A penalty of \$2,295 for accepting contributions from corporations and limited liability companies. *See* Admin. Code § 3-703(1)(l); Board Rules 1-04(c)(1), (e). The Campaign received contributions from thirteen corporations and one limited liability company.

Candidate ID Number: 1185-P

2. A penalty of \$125 for accepting a contribution from a political committee that was not registered with the CFB. *See* Admin. Code § 3-703(1)(k); Board Rules 1-04(c)(1), (d). On May 7, 2009, Citizens for Rod Bashir, an unregistered political committee, contributed \$50 to the Campaign.

3. A penalty of \$1,000 for failing to accurately report cash receipts resulting in a 39.31% cash deposit variance. *See* Admin. Code §§ 3-703(1)(d), (g), (6); Board Rules 3-03(c), 4-01(b)(1). The Campaign’s bank records indicate a 39.31% variance between reported cash receipts and submitted documentation (\$8,347 was reported but only \$5,066 was documented on deposit slips). The Campaign failed to submit itemized deposit slips for 12 deposits.

4. A penalty of \$150 for making cash expenditures greater than \$100. *See* Board Rules 1-08(i), 4-01(e)(1), (2). The Campaign made a \$250 cash withdrawal on June 22, 2009, and made two \$121.75 cash withdrawals on October 22, 2009, but failed to demonstrate that these cash withdrawals were not associated with cash expenditures over \$100.

5. A penalty of \$216 for making impermissible post-election expenditures. *See* Board Rules 1-03(a), 5-03(e)(2). The Campaign made twelve impermissible post-election expenditures, totaling \$2,160.41.

Public Funds Calculation

The Board determined that the Campaign must return Public Funds as follows:

Type of Repayment¹	Amount
1. Qualified Expenditure Deficit	\$27,541
2. Overpayment of Public Funds Based on Valid Matching Claims	Not Applicable
3. Final Bank Balance	Not Applicable

The Qualified Expenditure Deficit is the largest Amount. The Committee is responsible for repaying \$27,541 in public funds and the Committee and the Candidate are jointly and severally responsible for repaying \$18,390 of this Amount.

The Board determined that the amount due is \$31,327 (\$3,786 in penalties and \$27,541 in public funds).

You must pay to the Board the full amount due of \$31,327 no later than May 7, 2012. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Mark Griffin, Associate Counsel, New

¹ For explanations of the types of repayments, see the Public Funds Notice sent to the Campaign on November 18, 2011.

York City Campaign Finance Board, 40 Rector Street, 7th Floor, New York, New York 10006, or delivered to the offices of the Board.

If the Board is not in receipt of the full \$31,327 by May 7, 2012, the candidate's name and the unpaid amount will be posted on the Board's Website and the Board may initiate a civil action against the Candidate, the Treasurer and the Committee for the penalty amount and the Committee and the Candidate for the public funds amount.

You may challenge a public funds calculation in a petition for Board reconsideration within thirty days of the date of the Final Audit Report as set forth in Board Rule 5-02(a). However, the Board will not consider the petition unless the Campaign submits new information and/or documentation and shows good cause for its previous failure to provide this information or documentation.

You may also challenge this final determination, within four months, in the New York State Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

If you need additional time to pay this amount or if you have any questions concerning this Final Board Determination, please contact Mark Griffin, Associate Counsel, at (212) 306-7553 or mgriffin@nyccfb.info.



[signature on original]

Sue Ellen Dodell
General Counsel

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