



New York City Campaign Finance Board

100 Church Street, 12th Floor, New York, NY 10007
212.409.1800 | www.nyccfb.info

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August 13, 2015

By First Class Mail and C-ACCESS

Albert Alvarez
[REDACTED]

Luis C. Torres
[REDACTED]

Albert 2013
[REDACTED]

FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on August 13, 2015, made the following final determination concerning the Albert Alvarez 2013 Campaign (“Campaign”):

The Board determined that the Candidate, the Treasurer, and the Committee named above violated the New York City Campaign Finance Act (“Act”) and Board Rules as follows:

1. A penalty of \$50 for failing to provide a bank statement. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f). The Campaign failed to provide its bank statement for July 23, 2014 through August 21, 2014.
2. A penalty of \$70 for failing to demonstrate compliance with cash receipts reporting and documentation requirements. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (10), (11), (12); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f). The

Candidate ID Number: 1684-P

Campaign reported \$5,480 in cash receipts but provided cash deposit slips for only \$5,200, a difference of \$280 (a variance of 5.11%).

3. A penalty of \$500 for accepting an over-the-limit contribution. *See* Admin. Code §§ 3-702(8), 3-703(1)(f), (11); Board Rules 1-04(c)(1), (h), 1-05(a), 1-07(c). Board Rules 1-05(a). The Campaign accepted contributions totaling \$10,394.52 from a single individual, \$7,644.52 in excess of the contribution limit, including a loan that was not repaid by the day of the election. The Campaign returned the over-the-limit portion prior to notice from the CFB.

4. A penalty of \$45 for accepting contributions from a corporation. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l); Board Rules 1-04(c)(1), (e), (g), 1-05. The Campaign accepted unreported in-kind contributions from Desktop Publishing Supplies, Inc., a corporation, in the form of discounts totaling \$45.95, and, upon notice, promptly repaid this amount to the public fund.

5. A penalty of \$100 for failing to demonstrate compliance with intermediary reporting and documentation requirements. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11); Board Rules 3-03(c)(7), 4-01(b)(5). The Campaign did not report an intermediary for the five January 11, 2013 contributions from employees of Tremont Crotona.

6. A penalty of \$100 for failing to document a joint expenditure. *See* Admin. Code §§ 3-703(1)(d), (g), (11), (12), 3-715; Board Rules 1-09, 4-01, 4-03. The Campaign used a palm card featuring four candidates, but did not document the costs of this joint campaign activity.

7. A penalty of \$154 for failing to demonstrate that spending was in furtherance of the campaign. *See* Admin. Code §§ 3-702(21)(a), (b); 3-703(1)(d), (g), (6), (11); Board Rules 1-03(a), 4-01(e). The Campaign provided receipts for expenditures to Metro PCS, for cell phones, and Best Buy, for “office technology,” totaling \$615.96, but did not explain or document how these expenditures were in furtherance of the campaign.

8. A penalty of \$100 for making an impermissible post-election expenditure. *See* Admin. Code §§ 3-702(21)(a)(8), 3-703(1)(d), (g), (6), (11), 3-710(2)(c); Board Rules 1-03(a), 1-08(b), 5-03(e)(2). An unreported \$75 expenditure cleared the bank on September 11, 2013. The Campaign provided no documentation or explanation to show that this was a permissible post-election expenditure.

The Board determined that the amount due is \$1,119. On July 20, 2015, the Campaign paid \$1,119, the full amount due.

You may 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 have any questions concerning this Final Board Determination, please contact Katharine Loving, Associate Counsel, at (212) 409-1864 or KLoving@nyccfb.info.



signature on original

Sue Ellen Dodell
General Counsel

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CAMPAIGN FINANCE BOARD**

SED/KGL