



August 13, 2015

By First Class Mail and C-ACCESS

Antonio Reynoso



Pedro Pena



Friends of Antonio Reynoso



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 Antonio Reynoso 2013 Campaign (the “Campaign”):

Violations and Penalties

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 and are jointly and severally liable for paying \$2,060 in penalties as follows:

1. A penalty of \$250 for failing to report a merchant account used for campaign purposes. *See* Admin. Code §§ 3-703(1)(c), (d), (g), (6), (10), (11); Board Rules 1-11(d), 2-06, 4-01(f). The Campaign failed to provide the account number of its Litle & Co. merchant account to the Board.

2. A penalty of \$500 for failing to provide bank/merchant account statements. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f). The Campaign did not provide statements for its account with Flagship Merchant Service from February 2014 to July 2014.

3. A penalty of \$134 for failing to report two transactions. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01. The Campaign did not report two payments totaling \$6,739.29: \$59.29 to Bankcard MTOT on August 5, 2013, and \$6,680 to Stroock & Stroock & Lavan on October 15, 2013.

4. A penalty of \$125 for accepting a contribution from an unregistered political committee. *See* Admin. Code §§ 3-702(11), 3-703(1)(k), 3-707; Board Rules 1-04(c)(1), (d), (g), 1-05. The Campaign accepted and timely refunded a \$1,000 contribution from New Kings Democrats, an unregistered political committee.

5. A penalty of \$400 for failing to document five transactions. *See* Admin. Code §§ 3-703(1)(d), (g), (11), (12), 3-715; Board Rules 1-09, 4-01(a), (c), (g), (k), 4-03.

The Campaign did not report and did not provide sufficient supporting documentation related to two fundraising events held on January 9, 2013 and March 26, 2013.

The Campaign provided an invoice for two joint palm cards featuring Reynoso and other candidates, and provided methodologies for the costs associated with the palm cards, but did not provide copies of the palm cards that would allow CFB staff to confirm the methodologies provided by the Campaign.

The Campaign provided an invoice for 10,000 North Brooklyn Slate GOTV palm cards and a methodology for the cost paid by the Campaign. However, the Campaign did not provide documentation of the cost incurred by each campaign appearing on the palm card or a sample palm card to substantiate its response.

6. A penalty of \$130 for failing to demonstrate that spending was in furtherance of the campaign. Campaigns are required to demonstrate that all 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 failed to demonstrate that ten expenditures reported by the Campaign are campaign related. The expenditure to Sprint was reported as “Antonio’s Phone Bill.” The Campaign did not provide any supporting documentation, such as invoices, for the expenditures to Virgin or Sprint.

7. A penalty of \$521 for making impermissible post-election expenditures. *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). Based on Campaign documentation and/or the timing, amount and/or purpose reported by the Campaign, the Campaign made fourteen improper post-election expenditures, totaling \$2,084.08.

The Board determined that the amount due is \$2,060 in penalties.

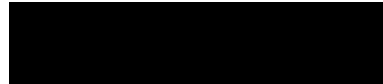
You must pay to the Board the full amount due of \$2,060 no later than **March 28, 2016**. Checks should be made payable to the “New York City Election Campaign Finance

Fund,” and mailed to the attention of Ashley E. Siegel, Associate Counsel, New York City Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$2,060 by **March 28, 2016**, 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. In addition, you will be ineligible for public funds in any future election until this debt is paid in full.

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 Ashley E. Siegel, Associate Counsel, at (212) 409-1866 or asiegel@nyccfb.info.



signature on original

Sue Ellen Dodell
General Counsel

**NEW YORK CITY
CAMPAIGN FINANCE BOARD**

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