



New York City Campaign Finance Board
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April 14, 2016

By First Class Mail and C-ACCESS

Constantinos Prentzas



Peter Mammis



Friends of Prentzas
32-14 30th Avenue, 2nd Floor
Astoria, NY 11102

FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on April 14, 2016, made the following final determination concerning the Constantinos Prentzas 2013 Campaign (“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 \$11,821 in penalties as follows:

1. A penalty of \$125 for maintaining a 4.67% reporting variance. *See Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-719(1); Board Rules 1-09, 3-03(c), (d), (e), 4-01.* The Campaign reported \$167,284.57 in expenditures, but its bank statements only showed debits of \$159,475.25. Therefore, there was a \$7,809.32 variance, or 4.67%.

2. A penalty of \$250 for filing two late disclosure statements. *See* N.Y.C. Charter § 1052(a)(8); Admin. Code §§ 3-703(6), (12), 3-708(8), 3-719(1); Board Rules 1-09, 3-02. The Campaign filed Disclosure Statement #9 one day after the filing deadline, and Disclosure Statement #10 4 days after the filing deadline.

3. A penalty of \$150 for failing to file daily pre-election disclosure statements. *See* Admin. Code §§ 3-703(6), (12), 3-708(8), 3-719(1); Board Rules 1-09, 3-02(e). The Campaign did not file the required daily disclosure to report a \$2,750 contribution from “Neighborhood Preservation Poli” on September 3, 2013. The Campaign also did not file the required daily disclosures to report \$45,536.85 in expenditures.

4. A penalty of \$11,046 for accepting contributions from corporations. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l), 3-719(2)(b); Board Rules 1-02, 1-04(c)(1), (e), (g), 1-05.

- USA Electrical Services: On August 9, 2013, the Campaign accepted a \$100 contribution from USA Electrical Services Corp., an entity listed on the New York Department of State’s website as a corporation. After notification from Board staff, the Campaign refunded the contribution but did not do so promptly.
- TK Management: The Campaign agreed to rent office space from TK Management. The Campaign issued checks totaling \$3,600, but TK Management never cashed them.
- Cat’s Eye Printing: The Campaign reported and documented \$1,615.42 in expenditures to Cat’s Eye Printing. However, the check that the Campaign reported it used to make payment did not clear the Campaign’s bank account, and bank statements do not show a debit of that amount.
- The Service/Queens Gazette: The Campaign reported two transactions totaling \$460 to The Service, but funds in that amount did not clear the Campaign’s bank account. Additionally, an invoice provided by the Campaign for a separate transaction demonstrated that a discount of \$90 had been given to the Campaign by The Service.
- Federation of Hellenic Societies: The Campaign reported and documented a \$100 expenditure to the Federation of Hellenic Societies. The Campaign stated that the Candidate paid for the outstanding liability with his personal funds, but did not provide sufficient proof of who made the payment.
- Ovelia: The Campaign reported a \$1,200 expenditure to Ovelia. The Campaign stated that the Candidate paid for the outstanding liability with his personal funds, but did not provide any proof of payment.

- The National Herald: The Campaign reported a \$824 expenditure to the National Herald. However, the check that the Campaign reported it used to make payment did not clear the Campaign’s bank account, and bank statements do not show a debit of that amount.
- Bohemian Hall & Beer Garden: The invoice provided by the Campaign included a line item for sales tax, but no sales tax was charged to the Campaign.
- Geosound Audio Services: The Campaign provided a flyer for a Bohemian Hall event indicating the presence of three live bands, “provided by Geosound Audio Services.” The Campaign did not report or document any expenditures to Geosound for the music services provided.
- Queens Medallion Brokerage Corp. (“QMB”): The Campaign circulated a flyer for a Campaign fundraiser, which indicated that QMB was hosting the event. The Campaign did not report paying any of the costs associated with the event, or repaying any in-kind contribution by QMB.

5. A penalty of \$250 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. On August 11, 2013, the Campaign accepted a contribution of \$500 from The Friends of Frank Minor, an unregistered political committee.¹ After notification from the CFB, the Campaign refunded the contribution but did not do so promptly.

Public Funds Calculation

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

Type of Repayment ²	Amount
1. Qualified Expenditure Deficit	\$18,261
2. Final Bank Balance	N/A
3. Overpayment of Public Funds Based on Valid Matching Claims	N/A

The Qualified Expenditure Deficit is the largest Amount. Accordingly, the Committee named above will be responsible for repaying \$18,261 in public funds.³

¹ Although the Campaign’s response states that the contribution from the unregistered political committee was from “Neighborhood Preservation Poli,” the contribution was from The Friends of Frank Minor.

² For explanations of the types of repayments, see the Public Funds Notice sent to the Campaign on June 19, 2015.

³ The Board collects public funds repayments in whole dollar amounts.

The Board determined that the amount due is \$30,082 (\$11,821 in penalties and \$18,261 in public funds).

You must pay to the Board the full amount due of \$30,082 no later than **August 22, 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.

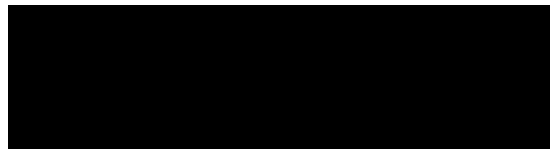
If the Board is not in receipt of the full \$30,082 by **August 22, 2016**, the candidate’s name and the unpaid amount will be posted on the Board’s Website and the Board may initiate a civil action against the Candidate, the Treasurer and the Committee for the penalty amount and the Committee for the public funds amount. In addition, you will be ineligible for public funds in any future election until this debt is paid in full.

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 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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