



New York City Campaign Finance Board
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August 13, 2015

By First Class Mail and C-ACCESS

Cliff Stanton
[REDACTED]

Joseph V. Kulhanek
[REDACTED]

Cliff Stanton for Council
[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 Cliff Stanton 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 \$691 in penalties as follows:

1. A penalty of \$250 for accepting two corporate contributions. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(1); Board Rules 1-04(c)(1), (e), (g)(4), (5), 1-05. On August 5, 2013, the Campaign received a \$200 discount from F. Petrovic Co., Inc. The Campaign refunded the \$200 after being notified by the Board staff. On August 27, 2013, the Campaign received an \$881.50 discount from the Riverdale Press, a corporation. The Campaign refunded the \$881.50 after being notified by the Board staff.

Candidate ID Number: 1531-P

2. A penalty of \$100 for failing to document an in-kind contribution. *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 entered into an agreement with a consultant under which the Campaign agreed to pay him \$3,000 for consulting services, but only paid him \$1,500. The remaining \$1,500 outstanding amount was an unreported in-kind contribution.

3. A penalty of \$112 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 entered into an agreement with a consultant and paid him \$450. Because he never provided services to the Campaign, this expenditure was not made in furtherance of the campaign.

4. A penalty of \$229 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). The Campaign made 24 expenditures, totaling \$918.08, that are impermissible due to their timing and purpose. These expenditures consist of recurring bank fees from Bank of America, recurring merchant account fees from Authorize.Net, and a \$163.63 payment to Ring Central for business phone system services.

Public Funds Calculation

The Committee and Candidate named above will be responsible for repaying the Final Bank Balance of \$153.61.

The Board determined that the amount due is \$844.61 (\$691 in penalties and \$153.61 in public funds).

You must pay to the Board the full amount due of \$844.61 no later than **July 22, 2016**. 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 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 \$844.61 by **July 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 and the Candidate 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 have any questions concerning this Final Board Determination, please contact Mark Griffin, Associate Counsel, at (212) 409-1863 or mgriffin@nyccfb.info.



Signature on
original

Sue Ellen Dodell
General Counsel

**NEW YORK CITY
CAMPAIGN FINANCE BOARD**

SED/MPG