



**New York City Campaign Finance Board**  
100 Church Street, 12<sup>th</sup> Floor, New York, NY 10007  
212.409.1800 | www.nyccfb.info

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September 10, 2015

**By First Class Mail and C-ACCESS**

Daryl L. Johnson



Geoffrey Longmore  
Treasurer – Johnson NYC 2013



Johnson NYC 2013  
1426 Morris Avenue, #2D  
Bronx, NY 10456

**FINAL BOARD DETERMINATION – EC2013 CAMPAIGN**

The New York City Campaign Finance Board (“Board”), at a meeting held on September 10, 2015, made the following final determination concerning the Daryl L. Johnson 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 \$681 in penalties as follows:

1. A penalty of \$400 for failing to provide merchant account statements. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f). The Campaign did not provide account statements for a merchant account for March and September 2013.

**Candidate ID Number: 1279-P**

2. A penalty of \$181 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), (f). The Campaign reported \$5,482 in cash receipts, but the Campaign’s deposit slips only account for \$4,757 in cash receipts, a difference of \$725 (13.23%).

3. A penalty of \$100 for failing to document one transaction. *See* Admin. Code §§ 3-703(1)(d), (g), (11), (12); Board Rules 1-09, 4-01(a), (c), 4-03. The Campaign reported, but failed to adequately document, a \$150 in-kind contribution.

### **Public Funds Calculation**

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

<b>Type of Repayment<sup>1</sup></b>	<b>Amount</b>
1. Qualified Expenditure Deficit	\$21,254
2. Final Bank Balance <sup>2</sup>	\$2,704.72
3. Overpayment of Public Funds Based on Valid Matching Claims	Not Applicable

The Qualified Expenditure Deficit is the largest amount. On September 10, 2015, the Campaign repaid \$291.52 to the Public Fund. Accordingly, the Campaign/Committee named above will be responsible for repaying \$20,962.48 in public funds and the Candidate named above will be jointly and severally responsible for repaying \$14,086.48 of this amount.

**The Board determined that the amount due is \$21,643.48 (\$681 in penalties and \$20,962.48 in public funds).**

You must pay to the Board the full amount due of \$21,643.48 no later than **October 31, 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, 12<sup>th</sup> Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$21,643.48 by **October 31, 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.

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<sup>1</sup> For explanations of the three types of repayments, see the Public Funds Calculation sent to the Campaign on May 13, 2015.

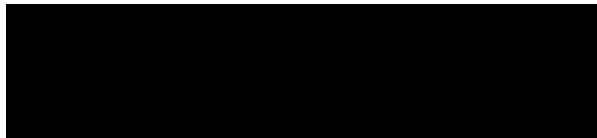
<sup>2</sup> This amount has been resolved. The Campaign documented a \$19.98 bank fee, and repaid \$2,393.22 on January 16, 2014, and \$291.52 on September 10, 2015, to the Public Fund.

You may also 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) 409-1863 or [mgriffin@nyccfb.info](mailto:mgriffin@nyccfb.info).

Signature on Original



Sue Ellen Dodell  
General Counsel

**NEW YORK CITY  
CAMPAIGN FINANCE BOARD**

SED/MPG