



New York City Campaign Finance Board
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March 17, 2016

By First Class Mail and C-ACCESS

Hesham El-Meligy



Richard Bier



Meligy 2013



FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on March 17, 2016, made the following final determination concerning the Hesham El-Meligy 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 and are jointly and severally liable for paying \$825 in penalties as follows:

1. A penalty of \$35 for failing to report a bank account used for campaign purposes. *See* Admin. Code §§ 3-703(1)(c), (d), (g), (6), (10), (11), 3-719(1); Board Rules 1-11(d), 2-06, 4-01(f). The Campaign failed to report a Stripe merchant account in its Filer Registration and Certification, or to provide an updated Change of Bank Account Form to report the merchant account. The penalty was reduced from the Board’s published penalty guidelines because of the size of the Campaign and the fact that it did not receive public funds.

2. A penalty of \$71 for failing to provide merchant account statements. Admin. Code §§ 3-703(1)(d), (g), (11), 3-719(1); Board Rule 4-01(f). The Campaign failed to provide account statements related to the Stripe merchant account. The penalty was reduced from the Board's published penalty guidelines because of the size of the Campaign and the fact that it did not receive public funds.

3. A penalty of \$7 for maintaining a 52.38% cash deposit variance. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (10), (11), (12), 3-719(1); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f). The Campaign reported \$420 in cash receipts but the deposit slips the Campaign has provided account for \$640 in cash receipts, a difference of \$220. The penalty was reduced from the Board's published penalty guidelines because of the size of the Campaign and the fact that it did not receive public funds.

4. A penalty of \$71 for maintaining variances in reporting disbursements and receipts. *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 \$4,945 in receipts, but the bank statements the Campaign has provided account for \$5,506.21 in receipts, a difference of \$561.21. This constitutes a variance of 11.35% between the receipts reported and documented by the Campaign. The Campaign reported \$4,341.79 in disbursements, but the bank statements the Campaign has provided account for \$5,034.79 in disbursements, a difference of \$693. This constitutes a variance of 15.96% between the disbursements reported and documented by the Campaign. The penalty was reduced from the Board's published penalty guidelines because of the size of the Campaign and the fact that it did not receive public funds.

5. A penalty of \$641 for failing to file and late filing of 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 failed to file Disclosure Statement 14, due October 25, 2013, and Disclosure Statement 15, due December 2, 2013. The Campaign filed Disclosure Statement 16 on March 24, 2014, 68 days after the due date. The penalty was reduced from the Board's published penalty guidelines because of the size of the Campaign and the fact that it did not receive public funds.

6. A finding of violation but no penalty for a late response to the Initial Documentation Request. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-708(5), 3-710(1), 3-719(1)(b); Board Rules 1-09(a), 4-01, 4-05(a). The due date for the Campaign's response to the Initial Documentation Request was February 24, 2014, but it submitted the response on March 13, 2014, 17 days late.

The Board determined that the amount due is \$825.

You must pay to the Board the full amount due of \$825 no later than **August 17, 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

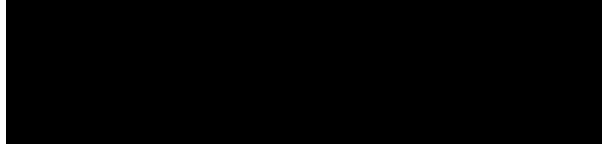
York City Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$825 by **August 17, 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 Committee, the Candidate, and the Treasurer to compel payment. In addition, you will be ineligible for public funds in any future election until this debt is paid in full.

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 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**

SED/AES