



New York City Campaign Finance Board
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February 11, 2016

By First Class Mail and C-ACCESS

Joan Flowers



Leon Paul Hart



Joan Flowers for the 27th District
173-35 113th Avenue
Addisleigh Park, NY 11433

FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on February 11, 2016, made the following final determination concerning the Joan Flowers 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 \$4,707 in penalties as follows:

1. A violation with no penalty for failing to provide merchant account statements. *See* Admin. Code §§ 3-703(1)(d), (g), (11), 3-719(1); Board Rule 4-01(f). The Campaign failed to provide any statements for the Campaign’s Democracy Engine merchant account.

Candidate ID Number: 1708-NP

2. A penalty of \$150 for 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 filed Disclosure Statement 9 two days late, and Statement 16 one day late.

3. A penalty of \$100 for late filing of 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 failed to timely report a \$15,000 loan, a \$2,700 contribution, and expenditures totaling \$39,944.50 to Valentin Consulting.

4. A penalty of \$50 for failing to demonstrate compliance with subcontractor reporting and documentation requirements. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), 3-719(1); Board Rules 3-03(e)(3), 4-01(h). The Campaign did not report subcontractors used by its vendor Valentin Consulting.

5. A penalty of \$1,083 for accepting two in-kind 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 1-01, 1-04(c)(1), (e), (g), 1-05. The Campaign reported expenditures of \$583.28 to two corporations without providing proof of payment; thus these debts were forgiven and were in-kind contributions.

6. A penalty of \$100 for failing to document an in-kind contribution. *See* Admin. Code §§ 3-703(1)(d), (g), (11), (12), 3-715, 3-719(1)(b); Board Rules 1-09, 4-01(a), (c), (g), (k), 4-03. The Campaign reported, but failed to provide in-kind contribution forms for two in-kind contributions from a single source totaling \$766.57.

7. A penalty of \$3,074 for failing to document loans. *See* Admin. Code §§ 3-703(1)(d), (g), (11), (12), 3-715, 3-719(1)(b); Board Rules 1-09, 4-01(a), (c), (g), (k), 4-03. The Campaign failed to provide financial institution documentation sufficient to verify the origin of \$153,730 in reported loans.

8. A penalty of \$150 for a late response to the Draft Audit Report. *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 Campaign filed its response to the Draft Audit Report three days late.

The Board determined that the amount due is \$4,707.

You must pay to the Board the full amount due of \$4,707 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 Katharine Loving, 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 amount due 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 Katharine Loving, Associate Counsel, at (212) 409-1864 or KLoving@nyccfb.info.

Signature on original



Sue Ellen Dodell
General Counsel

**NEW YORK CITY
CAMPAIGN FINANCE BOARD**

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