



New York City Campaign Finance Board
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May 12, 2016

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By First Class Mail and C-ACCESS

Kathleen Daniel



Bronique Jones



Committee to Elect Kathleen Daniel



FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on May 12, 2016, made the following final determination concerning the Kathleen Daniel 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 \$8,369 in penalties as follows:

1. A penalty of \$282 for failing to provide bank/merchant account statements. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f). The Campaign failed to submit statements for its TD Bank checking account for the period from August 2013 through October 2015, or either of its TD Bank merchant accounts.

2. A penalty of \$565 for failing to comply with reporting requirements for receipts. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01. The Campaign reported \$29,889.37 in receipts, but the bank statements the Campaign has provided only account for \$12,102.50 in receipts, a difference of \$17,786.85 or 59.51%.

Candidate ID Number: 1767-P

3. A penalty of \$282 for failing to comply with reporting requirements for disbursements.. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01. The Campaign reported \$29,606.10 in disbursements, but the bank statements the Campaign has provided only account for \$12,204.95 in disbursements, a difference of \$17,401.15 or 58.78%.

4. A penalty of \$28 for filing a late disclosure statement. *See* N.Y.C. Charter § 1052(a)(8); Admin. Code §§ 3-703(6), (12), 3-708(8); Board Rules 1-09, 3-02. The Campaign filed Disclosure Statement 10 on August 10, 2013, one day late.

5. A penalty of \$425 for failing to file a disclosure statement. *See* N.Y.C. Charter § 1052(a)(8); Admin. Code §§ 3-703(6), (12), 3-708(8); Board Rules 1-09, 3-02. The Campaign failed to file Disclosure Statement 12.

6. A penalty of \$28 for failing to comply with subcontractor reporting and documentation requirements. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11); Board Rules 3-03(e)(3), 4-01(h). The Campaign paid the Advance Group \$13,402.74, but failed to report subcontractors used by the Advance Group, submit a completed Subcontractor Disclosure Form, or document its attempts to obtain the completed form from the Advance Group.

7. A penalty of \$340 for accepting an over-the-limit contribution. *See* Admin. Code §§ 3-702(8), 3-703(1)(f), (11); Board Rules 1-04(c)(1), (h), 1-07(c). The Campaign reported two \$1,500 payments to an individual, on August 1, 2013 and August 2, 2013. Because the Campaign failed to submit bank statements showing these payments, these debts are in-kind contributions which together exceed the contribution limit by \$250.

8. A penalty of \$3,669 for accepting contributions from corporations, limited liability companies, or partnerships. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l); Board Rules 1-04(c)(1), (e), (g)(4), (5), 1-05. The Campaign accepted a \$175 contribution from Kalba & Heslop, LLC, and a \$250 contribution from Massena Law, PC, both of which it promptly refunded. The Campaign reported expenditures totaling \$4,324.07 to five vendors. Because the Campaign failed to submit proof of these payments, such as cancelled checks and bank statements, these debts are in-kind contributions from corporations and a limited liability company.

9. A penalty of \$1,694 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 July 23, 2013, the Campaign accepted a \$2,750 contribution from Educational Fund, a political committee that was not registered with the CFB.

10. A penalty of \$56 for failing to document a transaction. *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 reported repaying a \$593 loan to Kathleen Daniel on August 22, 2013, but failed to submit proof of the repayment.

11. A penalty of \$500 for failing to respond to the Initial Documentation Request. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-708(5), 3-710(1); Board Rules 1-09(a), 4-01, 4-05(a). The Campaign failed to submit a response to the Initial Documentation Request.

12. A penalty of \$500 for failing to respond to the Draft Audit Report. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-708(5), 3-710(1); Board Rules 1-09(a), 4-01, 4-05(a). The Campaign failed to submit a response to the Draft Audit Report.

The Board determined that the amount due is \$8,369.

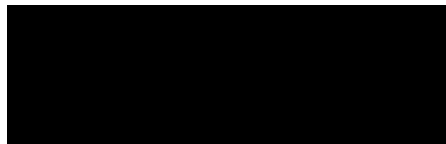
You must pay to the Board the full amount due of \$8,369 no later than **August 15, 2016**. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Mark Griffin, Associate Counsel, New York City Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$8,369 by **August 15, 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 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**

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