



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

Rose Gill Hearn
Chair

Art Chang
Richard J. Davis
Courtney C. Hall
Mark S. Piazza
Members

Amy M. Loprest
Executive Director

Sue Ellen Dodell
General Counsel

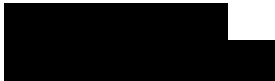
June 11, 2015

By First Class Mail and C-ACCESS

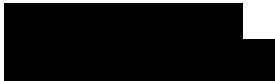
Kirsten J. Foy



James Sanon



Friends of Kirsten John Foy



FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on June 11, 2015, made the following final determination concerning the Kirsten Foy 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 \$1,725 in penalties as follows:

1. A penalty of \$250 for failing to report a merchant account used for campaign purposes. *See* Admin. Code §§ 3-703(1)(c), (d), (11); Board Rules 1-11(d), 2-06. The bank statements provided by the Campaign revealed that a Litle & Co. merchant account was used for campaign purposes but was not reported to the Board.

2. A penalty of \$300 for filing late disclosure statements. *See* NYC Charter § 1052(a)(8); Admin. Code §§ 3-703(6), (12), 3-708(8); Board Rules 1-09, 3-02. The

Candidate ID Number: 1535-P

Campaign filed disclosure statement 12 on January 25, 2013, five days after the relevant deadline, and disclosure statement 14 on October 26, 2013, one day after the relevant deadline.

3. A penalty of \$250 for accepting an over-the-limit contribution. *See* Admin. Code §§ 3-702(8), (18), (20), 3-703 (1-a), (1-b); Board Rules 1-04(c)(1), (h). On May 11, 2013, the Campaign received a \$1,000 contribution from an individual who appears on the City Doing Business Database as an individual doing business with the City. On June 4, 2013, the Board staff notified the Campaign that it had accepted an over-the-limit doing business contribution and instructed it to return the \$750 overage to the contributor no later than June 24, 2013. The Campaign did not refund the overage until June 26, 2013, two days after the deadline.

4. A violation with no associated penalty for failing to demonstrate compliance with intermediary reporting and documentation requests. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11); Board Rules 3-03(c)(7), 4-01(b)(5). The Campaign did not submit an intermediary affirmation statement for intermediary James P. Hedge.

5. A penalty of \$875 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 reported an expenditure to “DV Toon Consulting” in the amount of \$3,500. The Campaign invoice provided by the Campaign for the expenditure did not describe the specific services provided by the vendor and therefore lacked sufficient detail to demonstrate that such expenditure was in furtherance of the campaign.

6. A penalty of \$50 for a late response to the initial document 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). On January 24, 2014, the Board staff sent the Campaign an initial document request (“IDR”) as part of the Campaign’s post-election audit. The Campaign responded to the IDR on February 25, 2014, one day after the February 24, 2014 response deadline.

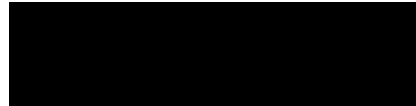
The Board determined that the amount due is \$1,725. You must pay to the Board the full amount due no later than **August 20, 2015**. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Giovanni Mejia, Associate Counsel, New York City Campaign 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 \$1,725 by **August 20, 2015**, 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 Giovanni Mejia, Associate Counsel, at (212) 409-1865 or gmejia@nyccfb.info.



Sue Ellen Dodell
General Counsel
**NEW YORK CITY
CAMPAIGN FINANCE BOARD**

signature on original

SED/GM