



New York City Campaign Finance Board

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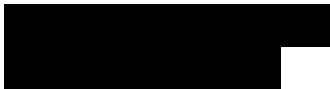
Amy M. Loprest
Executive Director

Sue Ellen Dodell
General Counsel

December 17, 2015

By First Class Mail and C-ACCESS

Stephen T. Levin



William J. Harris



Levin 2013



FINAL BOARD DETERMINATION – EC2013 CAMPAIGN

The New York City Campaign Finance Board (“Board”), at a meeting held on December 17, 2015, made the following final determination concerning the Stephen Levin 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 \$1,127 in penalties as follows:

1. A penalty of \$125 for accepting a \$150 contribution from the Law Offices of James Maleady, P.C, a corporation, *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), 1-05. Upon notification, the Campaign refunded the contribution promptly.

Candidate ID Number: 1204-P

2. A penalty of \$600 for failing to demonstrate that \$2,403.81 in reported expenditures were 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 states that it donated a television purchased for \$293.95 to a 2011 holiday raffle at the Park Slope Senior Center. The Campaign provided a receipt for the expenditure and an affirmation from the Candidate, but in the absence of third party documentation showing that the Senior Center received the television, that the raffle occurred, or that the Campaign was involved, the documentation provided was insufficient.

The Campaign paid \$1,250 to transport senior citizens and NYCHA residents to a film screening and to a NYCHA event, and \$800 to transport constituent-volunteers to the Rockaways after Hurricane Sandy. The Campaign provided two invoices from the bus company and descriptions of the three events from various websites. The documentation provided by the Campaign advertising the events, as well as the invoices, show that these were Council events, planned by Council staff, not Campaign events. In addition, the documentation concerning the NYCHA event does not mention the Candidate or the Campaign.

The Campaign purchased flowers for \$59.86 for the wake of a prominent resident of the council district, which exceeded the \$50 exception for token gifts of condolence.

3. A penalty of \$402 for making impermissible post-election expenditures of \$1,608.85, consisting of fees for a merchant account, web hosting, and an expenditure to J2 Global, Inc.

Public Funds Calculation

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

Type of Repayment	Amount
1. Final Bank Balance	\$772.76 ¹
2. Qualified Expenditure Deficit	Not Applicable ²
3. Overpayment of Public Funds Based on Valid Matching Claims	Not Applicable ³

The Final Bank Balance is the largest amount. Accordingly, the Committee and Candidate named above will be responsible for repaying \$772.76.

The Board determined that the amount due is \$1,899.76 (1,127 in penalties and \$772.76 in public funds).

¹ This represents the remaining balance on the Campaign’s TD Bank account as of October 14, 2015.
² This amount is not applicable because the Campaign has documented qualified expenditures greater than the amount it received in public funds.
³ This amount is not applicable because the Campaign did not receive public funds in excess of its valid matching claims, multiplied by the applicable matching factor.

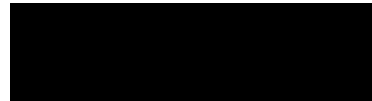
You must pay to the Board the full amount due of \$1,899.76 no later than **March 28, 2016**. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Katharine Loving, Associate Counsel, New York City Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$1,899.76 by **March 28, 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.

You may 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 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**

SED/KGL