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May 14, 2015

By First Class Mail and C-ACCESS

William Ruiz

Angela U. Nunez-Milane

Ruiz 2013

FINAL BOARD DETERMINATION - EC2013 CAMPAIGN

The New York City Campaign Finance Board ("Board"), at a meeting held on May 14, 2015, made the following final determination concerning the William Ruiz 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 \$1,960 in penalties as follows:

1. A penalty of \$500 for failing to provide bank statements. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f). The Campaign failed to provide bank account statements for its Capital One account from December 2013 to the present.

2. A penalty of \$85 for failing to demonstrate compliance with cash receipts reporting and documentation requirements. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (10), (11), (12); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f). The Campaign reported cash receipts of \$4,144, but only provided deposit slips or bank state-

ments showing that \$3,802 was deposited into the Campaign's account, a difference of \$342 (a variance of 8%).

3. A penalty of \$125 for failing to demonstrate compliance with reporting requirements for disbursements. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(e), 4-01. The Campaign reported disbursements of \$8,386.16, but the Campaign's bank statements showed disbursements of \$7,708.08, a difference of \$678.08 (a disbursements variance of 8%).

4. A penalty of \$500 for failing to report and document basic campaign functions/activities. *See* Admin. Code §§ 3-702(8), 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-04(g), 1-08(a), (b), (c), (h), 3-02, 3-03(e), 4-01. The Campaign did not report or document any expenses reported with the purpose code "OFFICE." The absence of such expenditures in the Campaign's reporting indicates that these items may have been provided free of charge or paid for by a third party.

5. A penalty of \$250 for a late response to an audit documentation and information request (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 filed its response to the post-election Initial Documentation Request, due on December 27, 2013, on January 15, 2014, 18 days late.

6. A penalty of \$500 for failing to respond to an audit documentation and information request (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's response to the DAR was due on December 12, 2014. The Campaign failed to respond.

The Board determined that the total amount due is \$1,960.

You must pay to the Board the full amount of \$1,960 no later than July 16, 2015. 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 \$1,960 by July 16, 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 Katharine Loving, Associate Counsel, at (212) 409-1864 or <u>KLoving@nyccfb.info</u>.



Sue Ellen Dodell General Counsel

NEW YORK CITY CAMPAIGN FINANCE BOARD

signature on original

SED/KGL