



Summary of Final Board Determination

Ralina Cardona

Candidate, 2013, City Council District 8, Manhattan

Program participant: \$76,450 in public funds received

1. Failing to file and late filing of daily pre-election disclosure statements \$100

Aggregate contributions and loans from a single source in excess of \$1,000, and aggregate expenditures in excess of \$20,000, received or made within 14 days of an election, must be disclosed to the Board within 24 hours. *See* Admin. Code §§ 3-703(6), (12), 3-708(8); Board Rules 1-09, 3-02(e); 2013 Campaign Finance Handbook, p. 66.

The Campaign did not file the required daily disclosure statements for a \$2,000 contribution from an individual or a \$9,750 loan from another individual. In addition, the Campaign filed the disclosure statement for a \$1,750 contribution from Neighborhood Preservation two days late.

The Board assessed a penalty of \$100 for these violations.

2. Accepting over-the-limit contributions \$1,062

Campaigns are prohibited from accepting contributions in excess of the applicable contribution limit (\$2,750 for 2013 City Council candidates). *See* Admin. Code §§ 3-702(8), 3-703(1)(f), (11); Board Rules 1-04(c)(1), (h), 1-07(c). A loan not repaid by the day of the first covered election following the loan is considered a contribution subject to the contribution limit. *See* Admin. Code § 3-702(8); Board Rules 1-05(a), (j).

The Campaign accepted a \$3,000 contribution from Friends of Gale Brewer 2013, and a \$3,750 contribution from Reshma for New York LLC, which it refunded promptly. The Campaign also received five loans totaling \$35,250 from the Candidate's mother, which it repaid after the day of the first covered election following the loans.

The Board assessed a penalty of \$1,062 for these violations.

3. Accepting contributions from unregistered political committees \$225

Campaigns may not accept a contribution from a political committee unless the political committee is registered with the CFB or registers with the CFB within 10 days of receipt of the contribution. *See* Admin. Code §§ 3-702(11), 3-703(1)(k), 3-707; Board Rules 1-04(c)(1), (d), (g), 1-05.



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The Campaign accepted a \$175 contribution from an unregistered political committee, Statewide Association of Minor, which it refunded after the deadline.

The Board assessed a penalty of \$225 for this violation.

4. Failing to document a transaction \$50

Campaigns are required to document all financial transactions, including loans, in-kind contributions, and joint expenditures. *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 did not report or document payment for banners costing \$287.85.

The Board assessed a penalty of \$50 for this violation.

5. Failing to demonstrate compliance with intermediary reporting and documentation requirements \$100

Campaigns are required to report the intermediary for each contribution that was delivered or solicited by an intermediary. In addition, campaigns are required to provide a signed intermediary affirmation statement for each intermediated contribution. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11); Board Rules 3-03(c)(7), 4-01(b)(5).

The Campaign reported receiving nine \$100 cash contributions on September 13, 2013 from individuals employed by Gilston Electric, but failed to report or document an intermediary for these contributions.

The Board assessed a penalty of \$100 for this violation.

6. Failure to disgorge questioned contributions \$600

Campaigns must report to the CFB every contribution as well as the full name, residential address, occupation, employer, and business address of the contributor. *See* Admin. Code § 3-703(6)(a); Rule 3-03(c). Contributors may not make contributions in the name of someone else, and contributors may not be reimbursed by someone else for their contributions. Campaigns may not knowingly receive or report contributions given in the name of someone other than the true contributor. *See* New York State Election Law §14-120. Campaigns must maintain records to verify contributions reported in disclosure statements, and campaigns are required to provide such



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records to the Board upon request and to respond to specific questions regarding compliance with the Act and Rules. *See* Admin. Code §§ 3-703(l)(d), (g), (6), (11), (12), 3-708(5), 3-710(1); Board Rules 1-09(a), 4-01, 4-05(a).

The Campaign accepted five \$100 cash contributions collected by one campaign volunteer. The contribution cards were typed with a nearly identical format and three of the five contributors contacted by CFB staff denied making the contributions. Another contributor reported by the campaign to have made a \$100 cash contribution also denied making her purported contribution. The Campaign failed to substantiate the source of the contributions and did not disgorge these questioned amounts.

The Board assessed a penalty of \$600 for these violations.

7. Failing to demonstrate that spending was in furtherance of the campaign \$255

Campaigns are required to demonstrate that all 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 improperly paid nine employees for overlapping time periods and job duties, resulting in \$1,020 in duplicative payments.

The Board assessed a penalty of \$255 for these violations.