



New York City Campaign Finance Board

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Summary of Final Board Determination

Cheryl Keeling

Candidate, 2013, City Council District 11, Bronx

Program participant: \$0 in public funds received

1. Failing to provide bank/ merchant account statements \$50

Campaigns are required to provide copies of all bank and merchant account statements for accounts used for each election. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f).

The Campaign failed to provide any statements for its PayPal merchant account.

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

2. Failing to report transactions \$230

Campaigns are required to properly report all financial transactions to the Board. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign failed to report 14 expenditures, and one advance, totaling \$11,533.70.

The Board assessed a penalty of \$230 for these violations.

3. Failing to demonstrate compliance with reporting requirements for receipts or disbursements \$1,000

Campaigns are required to demonstrate compliance with the reporting requirements and are required to provide bank records, including bank statements and deposit slips. *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 \$25,235 in monetary receipts, but the bank statements the Campaign provided show \$32,926.60 in receipts, a difference of \$7,691.60 (a variance of 30.48%).

The Campaign reported \$22,437.28 in monetary disbursements, but the bank statements the Campaign provided show \$32,879.63 in disbursements, a difference of \$10,442.35 (a variance of 46.54%).

The Board assessed a penalty of \$1,000 for these violations.



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4. Filing late disclosure statements \$150

Campaigns are required to file complete and timely disclosure statements on scheduled dates. *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 Statement 8 two days late, and Statement 9 one day late.

The Board assessed a penalty of \$150 for these violations.

5. Failing to document transactions \$728

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. If any of these transactions constituted in-kind contributions, the Campaign must submit an in-kind contribution form completed by the contributor. If any of the vendors have forgiven a liability, or if a debt was paid by a third party, the Campaign may be penalized for accepting over-the-limit contributions or contributions from prohibited sources. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), (18), (20), 3-703(1)(l), (1-a), (1-b), 3-719(2)(b); Board Rules 1-04(c)(1), (e), (g), (h), 1-05.

The Campaign reported, but failed to document, receiving in-kind contributions totaling \$1,192.40 from four contributors. It reported four expenditures to Staples, totaling \$295.95, which it failed to either document as being paid or report as outstanding liabilities, thereby indicating that a third party paid these expenditures. It also failed to document nine loan repayments to the Candidate totaling \$11,400.

The Board assessed a penalty of \$728 for these violations.

6. Failing to report and document basic campaign functions/activities \$250

Campaigns are required to report and document all financial transactions, including basic categories of expenditures such as postage, printing, rent, and petitioning. *See* Admin. Code §§ 3-702(8), 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-02, 1-04(g), 1-08(a), (b), (c), (h), 1-09, 3-02, 3-03(e), 4-01.

The Campaign failed to report or document any expenses for petitioning.

The Board assessed a penalty of \$250 for this violation.



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7. Late response to the Initial Documentation Request \$250

Campaigns are required to maintain records, such as copies of checks, invoices, and bank records, to verify financial transactions reported in disclosure statements, and campaigns are required to provide such records to the Board upon request and to respond to specific questions regarding compliance with the Act and Rules. *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 responded to the Initial Documentation Request 389 days late.

The Board assessed a penalty of \$250 for this violation.

8. Late response to the Draft Audit Report \$250

Campaigns are required to maintain records, such as copies of checks, invoices, and bank records, to verify financial transactions reported in disclosure statements, and campaigns are required to provide such records to the Board upon request and to respond to specific questions regarding compliance with the Act and Rules. *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 respond to the Draft Audit Report. However, because its responses to the Penalty Notice substantively addressed the major findings in the DAR, the Campaign's submission is considered a late response to the DAR.

The Board assessed a penalty of \$250 for this violation.