



Summary of Final Board Determination

Scott Stringer

Candidate, 2013, Comptroller

Program participant: \$1,952,350 in public funds received

1. Failing to report transactions \$3,689

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 transactions totaling \$32,870.39 that appear on its bank and merchant account statements. Additionally, documentation indicates that Campaign accepted, but failed to report, in-kind contributions totaling \$2,250.07.

The Board assessed a penalty of \$3,689 for these violations.

2. Failing to file daily pre-election disclosure statements \$200

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).

The Campaign did not file the required daily disclosures to report an expenditure of \$12,500 to GMMB and expenditures totaling \$10,443.75 to Berlin Rosen. Since the Campaign's total expenditures to these vendors during the 14 days preceding the election aggregated in excess of \$20,000, the Campaign was required to submit daily disclosures of all expenditures to those vendors during that period.

The Board assessed a penalty of \$200 for this violation.

3. Accepting over-the-limit contributions \$3,550

Campaigns are prohibited from accepting contributions in excess of the applicable contribution limit. *See* Admin. Code §§ 3-702(8), 3-703(1)(f), (11); Board Rules 1-04(c)(1), (h), 1-07(c). In addition, campaigns may not accept contributions in excess of the "doing business" contribution limits from individuals or entities that have business dealings with the City: \$400 for candidates for Public Advocate, Comptroller, and Mayor. *See* Admin. Code §§ 3-702(8), (18), (20), 3-703 (1-a), (1-b); Board Rules 1-04(c)(1), (h).

The Campaign accepted 18 over-the-limit contributions. It timely refunded the over-the-limit portions of 15 of the contributions, and refunded the rest after the deadline. Additionally, the



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Campaign accepted contributions from Patrick J. McGovern and Alexander Rovt that were over the Doing Business limit, and refunded the over-the-limit portions after the deadline.

The Board assessed a penalty of \$3,550 for these violations.

4. Accepting contributions from corporations, limited liability companies, or partnerships \$550

Campaigns may not accept, either directly or by transfer, a campaign contribution or loan, or guarantee or other security for such loan, from any corporation, limited liability company (LLC), or partnership. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(1); Board Rules 1-04(c)(1), (e), (g), 1-05. Creditors who extend credit beyond 90 days are considered to have made a contribution equal to the credit extended, unless the creditor continues to seek payment of the debt. Outstanding liabilities that are forgiven or settled for less than the amount owed are also considered contributions. *See* Board Rules 1-04(g)(4), (5).

The Campaign accepted the following corporate contributions: \$50 from Michael S. Bender P.C., \$200 from In Bocca Al Lupo Cafe, \$250 from Tracy Williams LTD, and \$500 from Total World. The Campaign refunded the contributions promptly, except for the contribution from In Bocca Al Lupo Cafe, which was refunded after the deadline.

The Board assessed a penalty of \$550 for these violations.

5. Accepting contributions from unregistered political committees \$675

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. Creditors who extend credit beyond 90 days are considered to have made a contribution equal to the credit extended, unless the creditor continues to seek payment of the debt. Outstanding liabilities that are forgiven or settled for less than the amount owed are also considered contributions. *See* Board Rules 1-04(g)(4), (5).

The Campaign accepted a \$50 contribution from Dodge Landesman For City Council, \$150 from Your Vote Counts, \$400 from Benjamin Franklin Reform Democratic Club, \$500 from New York UAW Region 9A PAC, \$600 from Chelsea Reform Democratic Club, \$608.56 from NYC ADA PAC, and \$1,000 from Affordable Housing PAC, which are all unregistered political committees. The contributions from Affordable Housing PAC and Your Vote Counts were refunded after the deadline; the remaining contributions were timely refunded.

The Board assessed a penalty of \$675 for these violations.



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6. Failing to document transactions \$400

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 failed to adequately document the value of a \$101.21 in-kind contribution from an individual.

The Campaign made an undocumented joint expenditure of \$1,336.99 for petitioning. Additionally, the Campaign was listed on joint petitions with Ritchie Torres, but did not report or document any Bronx petition printing.

The Campaign participated in joint expenditures for palm cards from Multi-Media and the Lower East Side Democratic Club, but did not provide documentation demonstrating how its share was determined for either transaction.

The Board assessed a penalty of \$400 for these violations.

7. Failing to demonstrate compliance with intermediary reporting and documentation requirements \$1,500

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 14 intermediaries for which it failed to submit intermediary affirmation statements. Additionally, the Campaign did not submit an intermediary affirmation statement for 12 contributions that were reported as intermediated. The details of the Campaign's reporting also differ from the information listed on the intermediary affirmation statement for three contributions.

The Board assessed a penalty of \$1,500 for these violations.

8. Commingling campaign funds with funds accepted for a different election No penalty

Campaigns are prohibited from using receipts deposited in an account for any purpose other than the election for which that account was established and from commingling campaign funds with personal or business funds or funds accepted for another election. *See* Board Rules 1-03(a)(2), 2-06(b), (e).



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The Campaign reported an “other receipt” of \$1,950 from the Stringer Transition Committee which it stated had been erroneously charged by NGP VAN, Inc. for an expenditure that should have been charged to the Transition Committee. The Campaign provided documentation that proved that the Campaign was erroneously debited for the transaction and that the Transition Committee had reimbursed the Campaign.

The Board determined that this was a violation but did not assess a penalty.