



Summary of Final Board Determination

Hesham El-Meligy

Candidate, 2013, Comptroller

Non-participant: \$0 in public funds received¹

1. Failing to report a bank account used for campaign purposes \$35

Campaigns are required to establish and maintain a separate campaign bank account and to report all bank, merchant, and depository accounts used for campaign purposes. See Admin. Code §§ 3-703(1)(c), (d), (g), (6), (10), (11), 3-719(1); Board Rules 1-11(d), 2-06, 4-01(f).

The Campaign failed to report its Stripe merchant account in its Filer Registration and Certification.

The Board assessed a penalty of \$35 for this violation.

2. Failing to provide bank/merchant account statements \$71

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), 3-719(1); Board Rule 4-01(f). The Campaign failed to provide account statements for the Stripe merchant account.

The Board assessed a penalty of \$71 for this violation.

3. Maintaining a 52.38% cash deposit variance \$7

Campaigns are required to report all cash receipts, deposit them into the bank account listed on the candidate's filer registration and/or certification, and provide the deposit slips for the account to the Board. See Admin. Code §§ 3-703(1)(d), (g), (6), (10), (11), (12), 3-719(1); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f).

The Campaign reported \$420 in cash receipts, but the deposit slips provided account for \$640 in cash receipts, a difference of \$220. This constitutes a 52.38% variance.

The Board assessed a penalty of \$7 for this violation.

¹ Because the Campaign did not receive public funds and the application of standard penalty amounts would result in penalties disproportionate to the size of the Campaign, the Board limited the total penalty assessment to 15% of the Campaign's aggregate receipts (\$10,565). This cap excludes the penalty for late response to the Initial Document Request.



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4. Maintaining variances in reporting disbursements and receipts \$71

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), 3-719(1); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign reported \$4,945 in receipts, but provided bank statements accounting for \$5,506.21 in receipts, a \$561.21 difference. This constitutes a variance of 11.35%. The Campaign reported \$4,341.79 in disbursements, but provided bank statements accounting for \$5,034.79 in disbursements, a difference of \$693. This constitutes a variance of 15.96%.

The Board assessed a penalty of \$71 for these violations.

5. Failing to file and late filing of disclosure statements \$641

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), 3-719(1); Board Rules 1-09, 3-02. The Campaign failed to file Disclosure Statements 14 and 15, and filed Statement 16 68 days late.

The Board assessed a penalty of \$641 for these violations.

6. Late response to the Initial Document Request No penalty

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), 3-719(1)(b); Board Rules 1-09(a), 4-01, 4-05(a).

The Campaign submitted its response to the Initial Document Request 17 days late.

The Board did not assess a penalty for this violation.