



Summary of Final Board Determination

Humberto Soto

Candidate, 2013, 34 Brooklyn and Queens

Program participant: \$38,035 in public funds received

1. Failing to demonstrate compliance with cash receipts reporting and documentation requirements \$105

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); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f).*

The Campaign reported \$3,020.00 in cash receipts, but the deposit slips the Campaign has provided account for \$3,440.00 in cash receipts, a difference of \$420.00. This constitutes a variance of 13.91% between the cash receipts reported and documented by the Campaign.

The Board assessed a penalty of \$105 for this violation.

2. Failing to demonstrate that spending was in furtherance of the campaign. \$797

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's reporting and documentation show that the Campaign made eight expenditures, totaling \$3,191.50 that it failed to demonstrate were in furtherance of the campaign. The Campaign reported five expenditures totaling \$2,348.78, as being made in September 2013 to "unknown." It reported paying two individuals \$140 each on September 10, 2013, and reported paying G & E Auto Repair \$562.72 that same day. However, the Campaign failed to submit sufficient documentation and information for these expenditures, and thus failed to demonstrate that they were made in furtherance of the campaign.

The Board assessed a penalty of \$797 for this violation.



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3. Making impermissible post-election expenditures \$178

After an election and before repaying leftover campaign funds to the Board, participants may spend campaign funds only to pay campaign-related expenses incurred in the preceding election and for “routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit.” *See* Admin. Code §§ 3-702(21)(a)(8), 3-703(1)(d), (g), (6), (11), 3-710(2)(c); Board Rules 1-03(a), 1-08(b), 5-03(e)(2).

The Campaign made seven expenditures, totaling \$712.12, that are improper post-election expenditures, due to their timing, amount and/or purpose. One expenditure was to Harland Check Order for \$79.12 on September 11, 2013. The Campaign reported the other six expenditures, totaling \$633, as being made in September and November 2013 to “unknown.” The Campaign failed to submit sufficient documentation and information for any of these expenditures, and thus failed to demonstrate that they were permissible post-election expenditures.

The Board assessed a penalty of \$178 for this violation.