



Summary of Final Board Determination

Mathieu Eugene

**Candidate, 2013T, City Council District 40
Transition and Inauguration Entity (“TIE”)**

1. Failing to provide bank statements \$2,250

TIEs are required to provide bank records, including periodic bank statements. See Admin. Code § 3-802(1); Board Rules 11-05(a), (b)(8), (c). TIEs are required to retain all records and documents required to be kept for six years after the date of its registration. See Board Rule 11-05(e).

The TIE failed to provide bank statements from July 2015-present. Prior to CFB staff’s last request for July 2015-present bank statements and other documentation to explain reporting discrepancies, the TIE repeatedly failed to produce requested statements, despite verbal assurances from the Campaign and repeated extensions granted by CFB staff. In addition, its reporting was largely incorrect and did not accurately reflect the TIE’s financial activity. The withholding of documentation and inaccuracies in the TIE’s reporting significantly interfered with the CFB staff’s review of the TIE’s compliance with the NYC Charter, Act, and Board Rules, and therefore, were aggravating factors in the Board’s penalty assessment.

The Board assessed a \$2,250 penalty for this violation.

2. Accepting over-the-limit donations \$1,917

TIEs are prohibited from accepting donations in excess of the applicable limit (\$2,500 for candidates elected to City Council). See Admin. Code §§ 3 801(2)(b), (4); Board Rules 11-04(b), (c), (d). To the extent a loan is not repaid by the date of an elected candidate’s inauguration, it is deemed a donation. See Admin. Code § 3 801(4); Board Rule 11-04(d). For any over-the-limit donation, the Board may assess penalties against the Elected Candidate and Entity of up to three times the amount by which such donation exceeds the applicable limit. See Admin. Code § 3-802(2).

The TIE reported advances of \$4,221 from an individual and \$5,241 from the Elected Candidate that were not repaid by the inauguration (January 26, 2014). Because the advances were not repaid by the inauguration, they were deemed donations that exceeded the donation limit.

The Board assessed a penalty of \$1,917 for the over-the-limit donation by the individual and did not assess a penalty for the donation by the Elected Candidate.