



Summary of Final Board Determination

Olanike Alabi

Candidate, 2013, Council District 35

Program participant: \$92,400 in public funds received

1. Failing to file daily pre-election disclosure statements \$100

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 failed to disclose two September 2013 expenditures, totaling \$20,100, to Pitta Bishop Del Giorno LLC.

The Board assessed a penalty of \$100 for this violation.

2. Failing to document a transaction \$220

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. 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 paid O&B Enterprises (“O&B”) \$5,000 for services on Primary Day, but the documentation of the services and the amounts billed for those services is insufficient.

The Board assessed a penalty of \$220 for this violation.

3. Failing to report and document basic campaign functions/activities \$500

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’s lease required it to pay for gas and electricity, but it failed to report or document any expenditures for these utilities.

The Board assessed a penalty of \$500 for this violation.



New York City Campaign Finance Board

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4. Failing to demonstrate that spending was in furtherance of the campaign \$100

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 paid a \$35 parking ticket on September 23, 2013, but failed to provide sufficient details and supporting documentation concerning the vehicle's use and location at the time the ticket was issued.

The Board assessed a penalty of \$100 for this violation.

5. Making improper post-election expenditures \$100

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). With regard to post-election events, a campaign may only hold a single event for staff, volunteers and/or supporters within thirty days of the election. *See* Admin. Code § 3-702(21)(a)(8); Board Rule 5-03(e)(2)(ii).

The Campaign made four expenditures totaling \$283.58 that, due to their purpose or timing, are impermissible. The Campaign paid the NYC Finance Commissioner \$100, but failed to submit corresponding documentation. The Campaign held three post-election events for campaign workers, but only one event is allowed. Therefore, two payments to Thai 101 Bistro (\$52.03 and \$47.55) are improper expenditures. The Campaign paid an individual \$84 on October 8, 2013, but failed to submit a corresponding timesheet.

The Board assessed a penalty of \$100 for this violation.