



Summary of Final Board Determination

Richard Del Rio

Candidate, 2013, Council District 2

Program participant: \$67,108 in public funds received

1. Accepting over-the-limit contributions \$889

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). A loan not repaid by the day of the election is considered a contribution subject to the contribution limit.

The Campaign accepted contributions from the Candidate totaling \$22,180, including a \$22,000 loan that was not repaid by September 10, 2013, the day of the election. This exceeds the limit for candidates contributing to their own campaigns by \$5,930. The Campaign provided documentation of partial loan repayments totaling \$9,000 (\$8,000 on September 11, 2013 and \$1,000 on January 11, 2014).

The Board assessed a penalty of \$889 for these violations.

2. Converting campaign funds to a personal use \$131

Campaigns are prohibited from converting campaign funds to a personal use. *See* Admin. Code §§ 3-702(21)(b); Board Rules 1-03(a), 2-02.

The Campaign reported a payment to the Candidate in the amount of \$104.94 on September 5, 2013 that appeared to be a repayment for an advance that did not occur. According to documentation provided, the Campaign made a separate payment for this expenditure to Veniero Pastry on September 9, 2013. Because the Candidate was paid for an expenditure made by the Campaign, the reimbursement constitutes conversion of campaign funds to a personal use.

The Board assessed a penalty of \$131 for this violation.

3. Making impermissible post-election expenditures \$89

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 expenditures totaling \$357.16 that, based on the timing, amount, and/or purpose, appear to be impermissible post-election expenditures.

The Board assessed a penalty of \$89 for this violation.