



Summary of Final Board Determination

Donovan Richards

Candidate, 2017, City Council District 31, Queens

Program participant: \$0 in public funds received

Mercedes Buchanan, Treasurer of Richards 2017

The Board determined that the Campaign has failed to comply with the Campaign Finance Act and Board rules, and assessed violations and penalties as detailed below.

1. Failing to report transactions \$375

Campaigns are required to report all financial transactions in disclosure statements filed according to the schedule provided by the Board. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-02, 3-03(a), (c), (d), (e), 4-01.

The Campaign did not report two transactions totaling \$3,750 that appeared on its bank statements.

The Board assessed total penalties of \$375 for these violations.

2. Failing to demonstrate compliance with cash receipts reporting and documentation requirements \$365

Campaigns are required to report all cash receipts, deposit them into the bank account listed on the candidate's filer registration and/or certification within ten business days of receipt, 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 \$3,955 in cash receipts, but the deposit slips provided only account for \$2,495 in cash receipts, a difference of \$1,460. This constitutes a variance of 36.92% between the cash receipts reported and documented by the Campaign.

The Board assessed total penalties of \$365 for these violations.

3. Filing late disclosure statements \$300

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); Board Rules 1-09, 3-02.

The Campaign filed Disclosure Statement #4 on January 20, 2016, five days after the January 15 deadline. The Campaign also filed Disclosure Statement #8 on May 16, 2017, one day after the May 15 deadline.

The Board assessed total penalties of \$300 for these violations.



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4. **Accepting an over-the-limit contribution** **\$6,260**

Campaigns are prohibited from accepting contributions (monetary or in-kind) 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). In addition, campaigns may not accept contributions in excess of the “doing business” contribution limits from individuals or entities that have business dealings with the City: \$250 (for candidates for City Council). *See* Admin. Code §§ 3-702(8), (18), (20), 3-703 (1-a), (1-b); Board Rules 1-04(c)(1), (h).

The Campaign untimely refunded the portion of a \$500 contribution from an individual that exceeded the \$250 doing business limit. The refund was due on November 20, 2017, but was issued on November 27, 2017.

The Campaign also failed to refund five over-the-limit doing business contributions, and additionally failed to provide documentation for five over-the-limit doing business contribution refunds.

The Board assessed total penalties of \$6,260 for these violations.

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**Note on this/these: “these” should be used where there are multiple instances of a violation within the heading. For example, if a Campaign failed to file more than one disclosure statement timely, the recommended penalty sentence should read, “CFB staff recommends total penalties of \$\$\$ for these violations.” One exception is aggregation violations from a single source. For example, if a campaign receives multiple corporate contributions from the same source, that should still be treated as a single violation (e.g., “CFB staff recommends a penalty of \$\$ for this violation”). If, however, the Campaign accepted corporate contributions from more than one source, the “these violations” formulation would be appropriate.