



Summary of Final Board Determination

Charles Cooper

Candidate, 2017A, City Council District 09

Program participant: \$0 in public funds received

Sidiki Donzo, Treasurer

1. Failing to document outstanding liabilities \$1,000

Campaigns are required to provide documentation for outstanding liabilities upon the Board's request. *See* Admin. Code §§ 3-702(8), 3-703(1)(d), (g), (6), (11); Board Rules 1-04(g)(4)-(7), 1-09, 4-01(c), (d), (l).

Pursuant to its contract with Dash Media PR ("Dash"), the Campaign agreed to pay \$10,000 per month for the duration of the campaign. The Campaign reported expenditures totaling \$9,885 to Dash, as well as a \$10,000 outstanding liability. The Campaign did not provide an itemized invoice or other supporting documentation and thus failed to document this outstanding liability.

The Board assessed a penalty of \$1,000 for this violation.

2. Accepting over-the-limit contributions \$3,175

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). 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: \$125 (for candidates for City Council in a special election). *See* Admin. Code §§ 3-702(8), (18), (20), 3-703(1-a), (1-b); Board Rules 1-04(c)(1), (h). Over-the-limit or prohibited contributions must be refunded by bank check or certified check made out to the contributor. *See* Board Rule 1-04(c)(1).

The Campaign received contributions over-the-limit from two individuals listed in the Doing Business Database as having business dealings with the City. The Campaign failed to refund the over-the-limit contributions.

The Board assessed penalties of \$3,175 for these violations.

3. Failing to report transactions \$71

Campaigns are required to properly report all financial transactions to the Board. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign failed to report \$3,570 in transactions that appear on its bank statements and other documentation.



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The Board assessed penalties of \$71 for these violations.

4. Failing to demonstrate compliance with cash receipts reporting and documentation requirements \$50

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 \$2,332 in cash receipts, but the deposit slips the Campaign provided only account for \$2,132 in cash receipts, a difference of \$200, representing a variance of 8.58%.

The Board assessed a penalty of \$50 for this violation.

5. Failing to demonstrate compliance with reporting requirements for receipts or disbursements \$500

Campaigns are required to demonstrate compliance with the reporting requirements and are required to provide bank records, including bank statements and deposit slips. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign reported \$22,669.57 in receipts, but the bank statements the Campaign provided account for \$26,402.58 in receipts, a difference of \$3,733.01, representing a variance of 16.47%.

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

6. Filing a late disclosure statement \$50

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 #1 on January 18, 2017, one day after the due date.

The Board assessed a penalty of \$50 for this violation.

7. Accepting contributions from corporations, limited liability companies, or partnerships \$300



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Campaigns may not accept a campaign contribution from any corporation or limited liability company (LLC). *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l); Board Rules 1-04(c)(1), (e), (g), 1-05. Over-the-limit or prohibited contributions must be refunded by bank check or certified check made out to the contributor. *See* Board Rule 1-04(c)(1).

The Campaign accepted a \$150 contribution from Uptown Townhouse and a \$50 contribution from Sunuafrik, Inc., corporations listed in the New York State Department of State Corporation and Business Entity Database, on October 10, 2016 and February 2, 2017, respectively. The Campaign untimely refunded the contributions.

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

8. Failing to document transactions \$100

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.

The Campaign reported a \$237.12 in-kind contribution from an individual on January 22, 2017, but subsequently amended the value of the contribution to \$80. The Campaign failed to provide a completed in-kind contribution form or other documentation to establish the value of the transaction.

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

9. Failing to demonstrate compliance with intermediary reporting and documentation requirements No Penalty

Campaigns are required to report the intermediary for each contribution that was delivered or solicited by an intermediary. In addition, campaigns are required to provide a signed intermediary affirmation statement for each intermediated contribution. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11); Board Rules 3-03(c)(7), 4-01(b)(5).

The Campaign submitted an Intermediary Statement signed by one individual, but indicated that a different individual “delivered” the intermediated contributions. The Campaign failed to report either individual as the intermediary for the contributions listed on the statement.

The Board determined that this was a violation, but did not assess a penalty.

10. Maintaining a petty cash fund greater than \$500 \$50

Campaigns are prohibited from maintaining more than \$500 in a petty cash fund. *See* Board Rule 4-01(e)(2).



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The Campaign provided a withdrawal slip for a \$758 cash withdrawal and stated that the withdrawal was for a cashier's check but did not produce a copy of the check or report the purpose of the transaction.

The Board assessed a penalty of \$50 for this violation.