



Summary of Final Board Determination

Daniel O'Donnell

Candidate, EC2019A, Public Advocate

Program participant: \$0 in public funds received

Alisa Martin, Treasurer of Danny for NYC

Campaign Summary

Candidate	Daniel O'Donnell	
Office Sought/Election Cycle	Public Advocate EC2019A special election	
Committee	Danny for NYC	
Treasurer	Alisa Martin	
Net Receipts	\$743,839 (net contributions, \$128,063; public funds, \$615,776)	
Net Expenditures	\$762,117	
Trainings	Alisa Martin (Treasurer): 10/23/18 (Compliance/C-SMART Web)	
Total Penalties	\$803	
Post-Election Payment	\$22,940.63 (Total)	
Documented Outstanding Liabilities		\$22,940
Penalties		- \$803
Bank Balance		- \$2,652
Net Payment		\$19,485

Penalties Summary

Violation	Penalty
1. Accepting an over-the-limit contribution	\$125
2. Failing to demonstrate that spending was in furtherance of the campaign	Violation; no penalty
3. Making impermissible post-election expenditures	\$678
Total Penalties	\$803

The Board assessed violations and penalties as detailed below.

I. Accepting over-the-limit contributions

\$125

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), (1-a), (1-b), (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: \$200 for the 2019A special election for Public Advocate. *See* Admin. Code §§ 3-702(8), (18), (20), 3-703 (1-a), (1-b); Board Rules 1-04(c)(1), (h).

On February 9, 2019, the Campaign accepted a \$250 contribution from an individual listed in the Doing Business Database. The Campaign refunded the \$50 over-the-limit amount after the deadline set by the CFB.

The Board assessed a penalty of \$125 for this violation.

2. Failing to demonstrate that spending was in furtherance of the campaign

Violation; no penalty

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), 1-08(p), 4-01(e).

On February 10, 2019, the Campaign paid an individual \$465 for hair and makeup services. The Campaign stated that this expense was for a televised debate for which no hair and makeup staff was provided by the news station airing the debate. However, expenditures for hair and makeup are not considered to be in furtherance of the campaign.

The Board did not assess a penalty for this violation.

3. Making impermissible post-election expenditures

\$678

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 paid \$3,709 to MetzWood Insurance for a renter’s insurance policy with a period from December 13, 2018, to December 13, 2019. However, because the Campaign did not require renter’s insurance after the election, the portion of the payment covering the period from March (the month after the election) to December 2019 is an impermissible post-election expenditure.

On January 21, 2019, the Campaign paid an annual fee of \$144 for services from Squarespace. However, because the Campaign did not require Squarespace services after the election, \$120 (\$12 per month, for the ten months from April 2019 to January 2020) is an impermissible post-election expenditure.

The Board assessed total penalties of \$678 for these violations.