



## Summary of Final Board Determination

### **Richard A. Florentino**

**Candidate, 2017, City Council District 50**

**Program participant: \$0 in public funds received**

**Arthur Schwartz, Treasurer of rich4midislan**

**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 provide bank statements \$140**

Campaigns are required to provide copies of bank, credit card, and merchant account statements, for all accounts used for each election. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 3-03(f), 4-01(f)(1).

The Campaign failed to provide bank statements for its Santander Bank account from inception-June 2017 and from August 2017-January 2018.

The Board assessed total penalties of \$140 for these violations.

#### **2. 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 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 \$505 in cash receipts, but the deposit slips provided only account for \$100 in cash receipts, a difference of \$405. This constitutes a variance of 80.2% between the cash receipts reported and documented by the Campaign.

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

#### **3. Failing to demonstrate compliance with reporting requirements for receipts \$348**

Campaigns are required to demonstrate compliance with 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.



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The Campaign reported \$5,351 in receipts, but the bank statements provided only account for \$654.83 in receipts, a difference of \$4,696.17. This constitutes a variance of 87.76% between the receipts reported and documented by the Campaign.

The Board assessed a penalty of \$348 for this violation.

### **4. Filing late disclosure statements \$279**

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 #14 on December 4, 2017, 38 days after the filing deadline of October 27, 2017. Additionally, the Campaign filed Disclosure Statement #16 on January 17, 2018, one day after the filing deadline of January 16, 2018.

The Board assessed total penalties of \$279 for these violations.

### **5. Failing to respond to the Draft Audit Report \$500**

Campaigns are required to maintain records, such as copies of checks, invoices, and bank records, to verify financial transactions reported in disclosure statements, and campaigns are required to provide such records to the Board upon request and to respond to specific questions regarding compliance with the Act and Rules. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12), 3-708(5), 3-710(1); Board Rules 1-09(a), 4-01, 4-05(a).

The Campaign's DAR was sent on April 20, 2018 with a response deadline of May 21, 2018. The Campaign did not respond to the DAR.

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