New York City Campaign Finance Board
100 Church Street, 12th Floor, New York, NY 10007
212.409.1800 | www.nyccfb.info

Frederick P. Schaffer
Chair

Gregory T. Camp
Richard J. Davis
Lawrence Moskowitz
Dawn L. Smalls
Members

Paul Seamus Ryan
Executive Director

Via CFB Portal
April 22, 2025

Dear Devin English:

Please find attached the New York City Campaign Finance Board's ("CFB" or "Board") Final Audit Report ("FAR") for the 2023 campaign of Pierina Sanchez (the "Campaign"). CFB staff prepared the report based on a review of the Campaign's financial disclosure statements and documentation submitted by the Campaign.

The report concludes that the Campaign has complied with the Campaign Finance Act (the "Act") and the Board Rules (the "Rules"), with exceptions as detailed in the report.

The Campaign may challenge a public funds determination in a petition for Board reconsideration within thirty days of the date of the Final Audit Report as set forth in Board Rule 5-02(a). However, the Board will not consider the petition unless the Campaign submits new information and/or documentation and shows good cause for its previous failure to provide this information or documentation. To submit a petition, please call the Legal Unit at 212-409-1800.

Your campaign must continue to submit ongoing disclosure statements until a Final Statement has been accepted by the CFB. Please contact your CSU liaison at CandidateServices@nyccfb.info with any questions regarding ongoing disclosure. The Campaign is required to maintain its records for five years after the election, and the CFB may require the Campaign to demonstrate ongoing compliance. See Rules 4-01, and 4-02.

The CFB appreciates the Campaign's cooperation during the 2023 election cycle. Please contact the Audit Unit at AuditMail@nyccfb.info with any questions about the enclosed report.

Sauda S. Chapman
Assistant Executive Director
Campaign Finance Administration

Attachments

EC2023 Final Audit Report

Sanchez 2023

April 2025

Table of Contents

Table of Contents 2
BACKGROUND 3
AUDIT RESULTS 5
1. Daily Pre-Election Disclosure – Statements of Contributions/Expenditures 6
2. Disclosure – Possible Subcontractors 8
SCOPE AND METHODOLOGY 9

BACKGROUND

The Campaign Finance Act of 1988, which changed the way election campaigns are financed in New York City, created the voluntary Campaign Finance Program. The Program increases the information available to the public about elections and candidates' campaign finances, and reduces the potential for actual or perceived corruption by matching up to $175 of contributions to Borough President and City Council candidates and up to $250 to candidates for Mayor, Public Advocate and Comptroller from individual New York City residents. In exchange, candidates agree to strict spending limits. Those who receive funds are required to spend the money for purposes that advance their campaign.

The CFB is the nonpartisan, independent city agency that administers the Campaign Finance Program for elections to the five offices covered by the Act: Mayor, Public Advocate, Comptroller, Borough President, and City Council member. All candidates are required to disclose all campaign activity to the CFB. The CFB makes this information available via its online searchable database, increasing the information available to the public about candidates for office and their campaign finances.

All candidates must adhere to strict contribution limits and are banned from accepting contributions from corporations, partnerships, limited liability companies and unregistered political committees. Campaigns must register with the CFB, and must file periodic disclosure statements reporting all financial activity. The CFB reviews these statements after they are filed and provides feedback to the campaigns.

The table below provides detailed information about the Campaign:

Name: Pierina Sanchez
ID: 2348
Office Sought: City Council
District: 14

Committee Name: Sanchez 2023
Classification: Participant
Certification Date: January 11, 2023

Ballot Status: General
General Election Date: November 7, 2023
Party: Democratic

Contribution Limit: $1,050

Expenditure Limit:
2022: $55,000
2023 General: $207,000

Public Funds:
Received: $194,560.00
Returned: $0.00

Campaign Finance Summary:
https://bit.ly/3Q0L30F

AUDIT RESULTS

This report may contain the following findings:

- Disclosure Findings: Accurate public disclosure is an important part of the CFB's mission. These findings relate to the Campaign's failure to completely and timely disclose the Campaign's financial activity.

- Contribution Findings: All campaigns are required to abide by contribution limits and adhere to the ban on contributions from prohibited sources. Further, campaigns are required to properly disclose and document all contributions. These findings relate to the Campaign's failure to comply with the requirements for contributions under the Act and Rules.

- Expenditure Findings: Campaigns participating in the Campaign Finance Program are required to comply with the spending limit. All campaigns are required to properly disclose and document expenditures and disburse funds in accordance with the Act and Rules. Findings in this section relate to the Campaign's failure to comply with the Act and Rules related to its spending.

- Public Matching Funds Findings: The CFB matches contributions from individual New York City residents. The CFB performs reviews to ensure that the correct amount of public funds was received by the Campaign and that public funds were spent in accordance with the Act and Rules. Findings in this section relate to whether any additional public funds are due, or any return of public funds by the Campaign is necessary.

1. Daily Pre-Election Disclosure – Statements of Contributions/Expenditures

During the 14 days preceding an election, if a candidate: (1) accepts a loan, contribution, or contributions from a single source in excess of $1,000; or (2) makes aggregate expenditures to a single vendor in excess of $20,000, the candidate shall report such contributions, loans, and expenditures to the Board in a disclosure, received by the Board within 24 hours of the reportable transaction. *See* Board Rule 3-02(e). This includes additional payments of any amount to vendors who have received aggregate payments in excess of $20,000 during the 14-day pre-election period. These contributions and expenditures must also be reported in the Campaign's next disclosure statement.

The Campaign did not file the required daily disclosures to report the following transactions:

CONTRIBUTION(S):

NAME	STATEMENT/ SCHEDULE/ TRANSACTION	DATE INCURRED	AMOUNT
United Federation of Teachers	6/ABC/R0011643	06/20/23	$1,050.00

EXPENDITURE(S):

NAME	STATEMENT/ SCHEDULE/ TRANSACTION	DATE INCURRED	AMOUNT
Mark Guma Communications Inc.	6/F/R0011271	06/16/23	$10,650.00
Mark Guma Communications Inc.	6/F/R0011275	06/18/23	10,650.00
Mark Guma Communications Inc.	6/F/R0011279	06/19/23	11,645.00
Mark Guma Communications Inc.	6/F/R0011283	06/19/23	7,200.00
Mark Guma Communications Inc.	6/F/R0011287	06/20/23	10,650.00
Mark Guma Communications Inc.	6/F/R0011291	06/21/23	11,645.00
Mark Guma Communications Inc.	6/F/R0011295	06/22/23	7,200.00
Mark Guma Communications Inc.	6/F/R0011299	06/23/23	10,650.00
Mark Guma Communications Inc.	6/F/R0011303	06/26/23	3,750.00
Mark Guma Communications Inc.	6/F/R0011307	06/26/23	2,300.00
Total			**$86,340.00**

Previously Provided Recommendation

If the Campaign believes it filed the required daily disclosures timely, as part of its response it must submit the C-SMART disclosure statement confirmation email as proof of the submission. The Campaign may provide an explanation for its failure to file the daily disclosures, but it cannot file daily pre-election disclosures now.

Campaign's Response

In response to the Draft Audit Report, the Campaign explained that the treasurer tracked the individual expense amount to each vendor. The Treasurer did not track the aggregate expenses. The treasurer believed the max allowable contribution during the two-week period was $1,050 instead of $1,000.

Board's Analysis

The Board has taken no further action on this matter other than to make this a part of the Candidate's record with the Board.

2. Disclosure – Possible Subcontractors

Subcontractors are vendors that a campaign's vendor hires to supply goods/services. If a vendor hired by a campaign pays a subcontractor more than $5,000, the campaign must report the vendor, the name and address of the subcontractor, the amounts paid to the subcontractor, and the purpose of the subcontracted goods/services. *See* Board Rule 4-05(c)(iv)(D). Campaigns must obtain a Subcontractor Disclosure Form or similar documentation from each subcontractor. *See* Rule 4-01(c)(vii).

The vendor listed below received large payments and may have subcontracted goods and services. However, the Campaign did not provide a complete Subcontractor Disclosure Form:

PAYEE	AMOUNT PAID	NOTES
Van Ness Creative Strategies	$10,000.00	(1)

(1) This finding was identified during the analysis of the Campaign's response to the Draft Audit Report.

Previously Provided Recommendation

This finding was identified during the analysis of the Campaign's response to the Draft Audit Report.

Campaign's Response

This finding was identified during the analysis of the Campaign's response to the Draft Audit Report.

Board's Analysis

The Board has taken no further action on this matter other than to make this a part of the Candidate's record with the Board.

SCOPE AND METHODOLOGY

Pursuant to Admin. Code § 3-710(1), the CFB conducted this audit to determine whether the Campaign complied with the Act and Rules. Specifically, we evaluated whether the Campaign:

1. Accurately reported financial transactions and maintained adequate books and records.
2. Adhered to contribution limits and prohibitions.
3. Disbursed funds in accordance with the Act and Rules.
4. Complied with expenditure limits.
5. Received the correct amount of public funds, or whether additional funds are due to the Campaign or must be returned.

Prior to the election, we performed preliminary reviews of the Campaign's compliance with the Act and Rules. We evaluated the eligibility of each contribution for which the Campaign claimed matching funds, based on the Campaign's reporting and supporting documentation. We also determined the Candidate's eligibility for public funds by ensuring the Candidate was on the ballot for an election, or otherwise eligible for an Early Public Funds payment, was opposed by another candidate on the ballot, and met the two-part threshold for receiving public funds. With each disclosure statement, we reviewed the bank records provided by the Campaign and reconciled the activity on the statements provided to the Campaign's reporting. We provided the Campaign with the results of this preliminary bank reconciliation periodically. After the election, we performed an audit of all financial disclosure statements submitted for the election (see summary of activity reported in these statements at Appendix #1).

To verify that the Campaign accurately reported and documented all financial transactions, we reconciled the financial activity on the Campaign's bank and merchant account statements to the financial activity reported on the Campaign's disclosure statements. We identified unreported, misreported, and duplicate disbursements, as well as reported disbursements that did not appear on the Campaign's bank statements. We also calculated debit and credit variances by comparing the total reported debits and credits to the total debits and credits amounts appearing on the bank statements. Cash variances were calculated by comparing the total cash contributions reported to the total of cash deposits on itemized deposit slips. Merchant account variances were calculated by comparing the total credit card contributions reported to the total credits in the merchant account statements. We reconciled the transfers on the submitted merchant account statements to the deposits on the bank account statements.

As part of our reconciliation of reported activity to the bank statements the Campaign provided, we determined whether the Campaign properly disclosed all bank accounts. We also determined if the Campaign filed disclosure statements timely and reported required activity daily during the

two weeks before the election. Finally, we reviewed the Campaign's reporting to ensure it disclosed required information related to contribution and expenditure transactions, such as intermediaries and subcontractors.

To determine if the Campaign adhered to contribution limits and prohibitions, we conducted a comprehensive review of the financial transactions reported in the Campaign's disclosure statements. Based on the Campaign's reported contributions, we assessed the total amount contributed by any one source and determined if it exceeded the applicable limit. We also determined if any of the contribution sources were prohibited. We reviewed literature and other documentation to determine if the Campaign accounted for joint activity with other campaigns.

To ensure that the Campaign disbursed funds in accordance with the Act and Rules, we reviewed the Campaign's reported expenditures and obtained documentation to assess whether funds were spent in furtherance of the Candidate's nomination or election. We also reviewed information from the New York State Board of Elections and the Federal Election Commission to determine if the Candidate had other political committees active during the 2023 election cycle. We determined if the Campaign properly disclosed these committees, and considered all relevant expenditures made by such committees in the assessment of the Campaign's total expenditures.

We requested records necessary to verify that the Campaign's disbursement of public funds was in accordance with the Act and Rules. Our review ensured that the Campaign maintained and submitted sufficiently detailed records for expenditures made in the election year that furthered the Candidate's nomination and election, or "qualified expenditures" for which public funds may be used. We specifically omitted expenditures made by the Campaign that are not qualified as defined by the Campaign Finance Act § 3-704.

We also reviewed the Campaign's activity to ensure that it complied with the applicable expenditure limits. We reviewed reporting and documentation to ensure that all expenditures—including those not reported, or misreported—were attributed to the period in which the good or service was received, used, or rendered. We also reviewed expenditures made after the election to determine if they were for routine activities involving nominal costs associated with winding up a campaign and responding to the post-election audit.

To ensure that the Campaign received the correct amount of public funds, and to determine if the Campaign must return public funds or was due additional public funds, we reviewed the Campaign's eligibility for public matching funds, and ensured that all contributions claimed for match by the Campaign were in compliance with the Act and Rules. We determined if the Campaign's activity subsequent to the pre-election reviews affected its eligibility for payment. We also compared the amount of valid matching claims to the amount of public funds paid pre-election and determined if the Campaign was overpaid, or if it had sufficient matching claims, qualified expenditures, and outstanding liabilities to receive a post-election payment. As part of this review, we identified any deductions from public funds required under Rule 7-07.

We determined if the Campaign met its mandatory training requirement based on records of training attendance kept throughout the 2023 election cycle. Finally, we determined if the Campaign submitted timely responses to post-election audit requests sent by the CFB.

Following an election, campaigns may only make limited winding up expenditures and are not going concerns. Because the activity occurring after the post-election audit is extremely limited, the audit focused on substantive testing of past transactions. The results of the substantive testing served to establish the existence and efficacy of internal controls. The CFB also publishes and provides to all campaigns guidance regarding best practices for internal controls.

To determine if contributors were prohibited sources, we compared them to entities listed in the New York State Department of State's Corporation/Business Entity Database. Because this was the only source of such information, because it was neither practical nor cost effective to test the completeness of the information, and because candidates could provide information to dispute the Department of State data, we did not perform data reliability testing. To determine if reported addresses were residential or commercially zoned within New York City, we compared them to a database of addresses maintained by the New York City Department of Finance. Because this was the only source of such data available, because it was not cost effective to test the completeness of the information, and because campaigns had the opportunity to dispute residential/commercial designations by providing documentation, we did not perform data reliability testing.

The CFB's Special Compliance Unit investigated any complaints filed against the Campaign that alleged a specific violation of the Act or Rules. The Campaign was sent a copy of all formal complaints made against it, as well as relevant informal complaints, and was given an opportunity to submit a response.

The Campaign was provided with a preliminary draft of this audit report and was asked to provide a response to the findings. The Campaign responded, and the CFB evaluated any additional documentation provided and/or amendments to reporting made by the Campaign in response. After reviewing the Campaign's response(s), CFB staff determined that the total recommended penalties for the Campaign's violations did not exceed $1,000, and as a result the staff chose not to recommend enforcement action to the Board.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. We limited our review to the areas specified in this report's audit scope.

Sauda S. Chapman
Assistant Executive Director
Campaign Finance Administration

Staff: Donna Ross

Amy Xue

New York City Campaign Finance Board
Campaign Finance Information System
Transaction Summary Report
Appendix 1

Candidate: Sanchez, Pierina A (ID:2348-P)
Office: 5 (City Council)
Election: 2023

1. Opening cash balance (All committees)		$0.00
2. Total itemized monetary contributions (Sch ABC)		$58,055.00
3. Total unitemized monetary contributions		$0.00
4. Total in-kind contributions (Sch D)		$0.00
5. Total unitemized in-kind contributions		$0.00
6. Total other receipts (Sch E - excluding CFB payments)		$0.00
7. Total unitemized other receipts		$0.00
8. Total itemized expenditures (Sch F)		$249,249.47
Expenditure payments	$246,374.10	
Advance repayments	$2,875.37	
9. Total unitemized expenditures		$0.00
10. Total transfers-In (Sch G)		$0.00
Type 1	$0.00	
Type 2a	$0.00	
Type 2b	$0.00	
11. Total transfers-out (Sch H)		$0.00
Type 1	$0.00	
Type 2a	$0.00	
Type 2b	$0.00	
12. Total loans received (Sch I)		$0.00
13. Total loan repayments (Sch J)		$0.00
14. Total loans forgiven (Sch K)		$0.00
15. Total liabilities forgiven (Sch K)		$0.00
16. Total expenditures refunded (Sch L)		$406.59
17. Total receipts adjustment (Sch M - excluding CFB repayments)		$2,150.00
18. Total outstanding liabilities (Sch N - last statement submitted)		$0.00
Outstanding Bills	$0.00	
Outstanding Advances	$0.00	
19. Total advanced amount (Sch X)		$0.00
20. Net public fund payments from CFB		$192,937.88
Total public funds payment	$194,560.00	
Total public funds returned	($1,622.12)	
21. Total Valid Matchable Claims		$24,335.00
22. Total Invalid Matchable Claims		$35.00
23. Total Amount of Penalties Assessed		N/A
24. Total Amount of Penalty Payments		$0.00
25. Total Amount of Penalties Withheld		$0.00