



Summary of Final Board Determination

Andrew J. Cohen

Candidate, 2013, Council District 11

Program participant: \$115,500 in public funds received

1. Accepting an over-the-limit contribution

No Penalty

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 Rule 1-04(c)(1). Multiple contributions from a single source are totaled to determine compliance. ‘Single source’ includes “every political committee established, maintained, or controlled by the same person.” Board Rule 1-04(h).

The Campaign accepted contributions from Jeffrey Dinowitz and Friends of Assemblyman Jeffrey Dinowitz totaling \$2,925 (\$175 over the contribution limit of \$2,750), and promptly refunded the overage upon notice from the Board.

The Board determined that this was an infraction and did not assess a penalty.

2. Failing to demonstrate compliance with intermediary reporting and documentation requirements.

\$500

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 did not submit intermediary affirmation statements for its five reported intermediaries.

The Board assessed a penalty of \$500 for these violations.

3. Making impermissible post-election expenditures

\$213

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); Board Rules 1-03(a), 1-08(b), 5-03(e)(2).

The Campaign’s January through August 2014 bank statements show what appear to be impermissible post-election expenditures totaling \$855.44.

The Board assessed a penalty of \$213 for this violation.