



## Summary of Final Board Determination

### Sondra Peeden

Candidate, 2013, Council District 27

Non-participant

**1. Failing to report a merchant account used for campaign purposes \$129**

Campaigns are required to establish and maintain a separate campaign bank account and to report all bank, merchant, and depository accounts used for campaign purposes. *See* Admin. Code §§ 3-703(1) (d), (g), (6), (10), 3-719(1); Board Rules 1-11(d), 2-06, 4-01(f).

The campaign accepted credit card contributions on its website and reported credit card contributions, yet did not report a merchant account on the candidate's Filer Registration. Furthermore, the Citibank statements provided by the Campaign show charges in 2013 from Nation Builder that may be for a Nation Builder merchant account that was not reported.

The Board assessed a penalty of \$129 for this violation.

**2. Failing to provide bank/merchant account statements \$259**

Campaigns are required to provide copies of all bank and merchant account statements for accounts used for each election. *See* Admin. Code §§ 3-703(1)(d), (g), 3-719(1); Board Rule 4-01(f). The Campaign has not provided bank statements or merchant account statements for the account that processed the Campaign's credit card.

The Board assessed a penalty of \$259 for this violation.

**3. Failing to demonstrate compliance with cash receipts reporting and documentation requirements \$81**

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), 3-719(1); Board Rules 1-04(a), (b), 2-06(a), 3-03(c), 4-01(a), (b)(1), (3), (f).

The Campaign reported cash receipts of \$629, but provided no deposit slips or bank statements showing that this amount was deposited into the Campaign's account resulting in a cash variance of 100%.

The Board assessed a penalty of \$81 for this violation.



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**4. Failing to demonstrate compliance with reporting requirements for receipts \$259**

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), 3-719(1); Board Rules 1-09, 3-03(c), 4-01. The Campaign reported receipts of \$4,299, but its bank statements documented credits of only \$2,715.27, a \$1,583.73 difference. This is a receipts variance of 37%. The Board assessed a penalty of \$259 for this violation.

**5. Failing to demonstrate compliance with reporting requirements for disbursements \$129**

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), 3-719(1); Board Rules 1-09, 3-03(c), (e), 4-01. The Campaign reported disbursements of \$2,520.83, but documented disbursements of \$2,886.19, a \$365.36 difference. This is a disbursements variance of 14%. The Board assessed a penalty of \$129 for this violation.

**6. Failing to file a disclosure statement \$388**

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), 3-708(8), 3-719(1); Board Rules 1-09, 3-02. The Campaign failed to file Disclosure Statement 16, which was due on January 15, 2014.

The Board assessed a penalty of \$388 for this violation.

The total penalties assessed to this campaign for the above violations have been capped based on the size of the campaign.

**7. Failing to respond to audit documentation and information requests \$1,000 (Initial Documentation Request and Draft Audit Report)**

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), 3-708(5), 3-710(1), 3-719(1)(b); Board Rules 1-09(a), 4-01, 4-05(a).

The Campaign failed to file a response to the post-election Initial Documentation Request or the Draft Audit Report.

The Board assessed total penalties of \$1,000 for these violations.