



Summary of Final Board Determination

Jelani Mashariki

Candidate, 2013, Council District 35

Program participant: \$87,780 in public funds received

1. Failing to demonstrate compliance with cash receipts reporting and documentation requirements. \$182

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

The Campaign reported \$5,111.00 in cash receipts but the deposit slips the Campaign has provided only account for \$4,380.00 in cash receipts, a difference of \$731.00. This constitutes a variance of 14.30% between the cash receipts reported and documented by the Campaign.

The Board assessed a penalty of \$182 for this violation.

2. Failing to demonstrate that spending was in furtherance of the campaign. \$1,287

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), 4-01(e).

In October 2013, \$5,020 in fraudulent checks were cashed against the Campaign's account. The Campaign did not become aware of this until January 2014, and failed to recoup the \$5,020. The Campaign also made an erroneous \$130 payment to Sandra Roswell on January 10, 2014.

The Board assessed a penalty of \$1,287 for these violations.

3. Making impermissible post-election expenditures. \$100

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).



New York City Campaign Finance Board

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Due to the timing, amount, and/or purpose reported by the Campaign or identified from a review of Campaign bank statements and/or documentation, the Campaign made two improper post-election expenditures: \$30 on November 14, 2013, and \$30 on December 16, 2013.

The Board assessed a penalty of \$100 for this violation.

4. Late response to the Draft Audit Report \$50

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 submitted its response to the DAR one day late.

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