



## **Summary of Final Board Determination**

### **Mendy Mirocznik**

**Candidate, 2013, City Council District 50, Staten Island**

**Program participant: \$91,970 in public funds received**

**1. Failing to provide merchant account statements. No Penalty**

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), (11); Board Rule 4-01(f).

The Campaign used a merchant account as a payment gateway. It submitted “Monthly Details” reports for May 2013 and June 2013, but failed to submit them for the period from inception of the account through April 2013 and from July 2013 to its closing.

The Board did not assess a penalty for this violation.

**2. Accepting contributions from unregistered political committees. \$2,178**

Campaigns may not accept a contribution from a political committee unless the political committee is registered with the CFB or registers with the CFB within 10 days of receipt of the contribution. *See* Admin. Code §§ 3-702(11), 3-703(1)(k), 3-707; Board Rules 1-04(c)(1), (d), (g), 1-05. Creditors who extend credit beyond 90 days are considered to have made a contribution equal to the credit extended, unless the creditor continues to seek payment of the debt. Outstanding liabilities that are forgiven or settled for less than the amount owed are also considered contributions. *See* Board Rules 1-04(g)(4), (5).

On September 9, 2013, Life of the Party PAC (“Life PAC”), which was not registered with the CFB, provided the Campaign with palm cards worth \$520. In response to the Board staff’s inquiry, the Campaign stated that the \$520 transaction was an unreported outstanding liability. The Board staff notified the Campaign that the transaction had become a contribution from a prohibited source, and the Campaign reimbursed Life PAC.

The Campaign submitted a contract with the New York State Democratic Committee (“NYS DC”) for access to voter software. It reported paying \$1,752.48 on July 17, 2013 to NYS DC, but this transaction does not appear on the Campaign’s bank statements. Therefore this unpaid liability is an in-kind contribution from a political committee that was not registered with the CFB.



**New York City Campaign Finance Board**  
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The Campaign failed to report any expenditures for office supplies, but stated that it printed flyers using supplies donated by the Democratic Committee of Richmond County (“DCRC”), which was not registered with the CFB. The Campaign submitted an invoice from DCRC for its \$51.11 share of the office supplies, and reimbursed DCRC.

The Board assessed penalties totaling \$2,178 for these violations.