



Summary of Final Board Determination

Eric Adams

Candidate, 2013, Borough President, Brooklyn

Program participant: \$0 in public funds received

1. Failing to provide merchant account statements \$500

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), 3-719(1); Board Rule 4-01(f).

The Campaign failed to provide the November 2012 statement for one merchant account and March 2013, September 2013, and December 2013-present statements for another merchant account.

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

2. Failing to file pre-election disclosure statements \$250

Aggregate contributions and loans from a single source in excess of \$1,000, and aggregate expenditures in excess of \$20,000, received or made within 14 days of an election, must be disclosed to the Board within 24 hours. *See* Admin. Code §§ 3-703(6), (12), 3-708(8), 3-719(1); Board Rules 1-09, 3-02(e).

The Campaign failed to file the required daily disclosures to report an \$82,722.88 expenditure to Red Horse Strategies, a \$40,000 expenditure to an individual, and contributions totaling \$36,260.

The Board assessed a penalty of \$250 for these violations.

3. Accepting an over-the-limit contribution \$125

Campaigns are prohibited from accepting contributions in excess of the applicable contribution limit. *See* Admin. Code §§ 3-702(8), 3-703(1)(f), (11), 3-719(2); Board Rules 1-04(c)(1), (h), 1-07(c). Under the Act, candidates for Borough President may receive contributions from an individual totaling up to \$3,850. *See id.*

The Campaign accepted contributions totaling \$4,000 from an individual, \$150 over the limit. It timely refunded the overage.

The Board assessed a penalty of \$125 for this violation.



Summary of Final Board Determination

4. Accepting a corporate contribution \$70

Campaigns may not accept, either directly or by transfer, a campaign contribution or loan, or guarantee or other security for such loan, from any corporation, limited liability company (LLC), or partnership. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l), 3-719(2)(b); Board Rules 1-04(c)(1), (e), (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).

The Campaign accepted a \$20 contribution from Women’s Network Emporium, Inc. and did not refund the contribution by the deadline.

The Board assessed a penalty of \$70 for this violation.

5. Accepting two contributions from unregistered political committees \$225

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.

The Campaign accepted a \$100 contribution from Support for Good Government PAC and a \$500 contribution from Committee to Re-Elect Inez Dickens, both unregistered political committees. It timely refunded both contributions.

The Board assessed a penalty of \$225 for these violations.

6. Failing to demonstrate compliance with intermediary reporting and documentation requirements No Penalty

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), 3-719(1); Board Rules 3-03(c)(7), 4-01(b)(5). The Campaign failed to submit intermediary affirmation statements for four intermediaries.

The Board did not assess a penalty for this violation.



Summary of Final Board Determination

7. Failing to document transactions \$700

Campaigns are required to document all financial transactions, including loans, in-kind contributions, and joint expenditures. *See* Admin. Code §§ 3-703(1)(d), (g), (11), (12), 3-715, 3-719(1)(b); Board Rules 1-09, 4-01(a), (c), (g), (k), 4-03.

The Campaign appeared on six petitions with other candidates. It reported expenditures for petition printing, but did not provide documentation indicating whether those petition costs were related to joint expenditures.

The Board assessed a penalty of \$700 for this violation.

8. Failing to demonstrate that spending was in furtherance of the campaign No Penalty

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).

The Campaign failed to demonstrate that expenditures totaling \$37,354.38 were in furtherance of the campaign. These included expenditures for event tickets, outdoor entertainment, post-election food purchases, and bonus payments. It also reported expenditures for services that appeared duplicative and legal services that it did not receive.

The Board did not assess a penalty for this violation.