



Summary of Final Board Determination

Christopher Marte

Candidate, EC2017, City Council District 01

Program participant: \$185,708 public funds received

Caitlin Kelmar, Treasurer of Marte for NYC

The Board determined that the Campaign failed to comply with the Campaign Finance Act and Board rules, and assessed violations and penalties as detailed below.

1. Failing to demonstrate compliance with cash receipts reporting and documentation requirements \$59

Campaigns are required to report all cash receipts, deposit them into the bank account listed on the candidate's filer registration and/or certification within ten business days of receipt, 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 \$4,710 in cash receipts, but the deposit slips provided account for \$4,948 in cash receipts, a difference of \$238. This constitutes a variance of 5% between the cash receipts reported and documented by the Campaign.

The Board assessed a penalty of \$59 for this violation.

2. Failing to report/ late reporting of transactions in daily pre-election disclosure statements \$250

All aggregate contributions and/or loans from a single source in excess of \$1,000, and all aggregate expenditures to a single vendor 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); Board Rules 1-08(b), 1-09, 3-02(e).

The Campaign did not file the required daily disclosures to report five expenditures totaling \$34,401.07 to Metro Graphics, occurring on September 1, 5, and 8, 2017.

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

3. Accepting a contribution from a limited liability company \$3,750

Campaigns may not accept a campaign contribution 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); Board Rules 1-04(c)(1), (e), (g), 1-05. In-kind contributions include goods or services donated to a candidate free of charge or at a special discount not available to others. *See* Admin. Code § 3-702(8); Board Rule 1-02. 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.



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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 reported a \$2,500 in-kind contribution from the Treasurer to pay Hamilton & Church LLC (“H&C”), a limited liability company, for rental space. The Campaign failed to provide documentation that H&C was paid, and, therefore the \$2,500 owed for the month is considered an in-kind contribution from a limited liability company.

The Board assessed a penalty of \$3,750 for this violation.

4. Making cash expenditures greater than \$100

**Violation; No
Penalty**

Campaigns are prohibited from making an expenditure greater than \$100 using cash. *See* Board Rules 1-08(i), 4-01(e)(2).

The Campaign made a cash withdrawal of \$700, of which \$651.60 was used to purchase a money order. The purchase of the money order exceeded the cash expenditure limit by \$551.60.

The Board assessed a violation but no penalty.

5. Failing to demonstrate that spending was in furtherance of the campaign

\$125

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), 1-08(p), 4-01(e).

The Campaign made expenditures totaling \$5,600 that it did not demonstrate were in furtherance of the campaign.

The Board assessed total penalties of \$125 for these violations.