



Summary of Final Board Determination#

Brian Waddell, 2017, Borough President, Manhattan

Program non-participant

Brian W. Waddell, Treasurer of Vote Waddell

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

1. Failing to provide bank statements \$50

Campaigns are required to provide copies of bank, credit card, and merchant account statements, for all accounts used for each election. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rules 3-03(f), 4-01(f)(1).

The Campaign did not provide a statement for its TD Bank account ending in 8571 for November 2017 and did not provide complete statements for July and August 2017.

The Campaign was notified of this potential violation and was instructed to resolve the violation by providing the bank statements in the DAR, sent on April 20, 2018, and the Penalty Notice, sent on April 2, 2019.

The Board assessed total penalties of \$50 for these violations.

**2. Failing to demonstrate compliance with reporting requirements \$50
for receipts**

Campaigns are required to demonstrate compliance with reporting requirements and are required to provide bank records, including bank statements and deposit slips. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign reported \$921.40 in receipts, but the bank statements provided only account for \$424.20 in receipts, a difference of \$497.20. This constitutes a variance of 53.96% between the receipts reported and documented by the Campaign.

The Campaign was notified of this potential violation and was instructed to resolve the violation by providing the missing bank statements and itemized deposit slips in the DAR, sent on April 20, 2018, and the Penalty Notice, sent on April 2, 2019.

The Board assessed total penalties of \$50 for these violations.

3. Filing a late disclosure statement \$50



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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), (12), 3-708(8); Board Rules 1-09, 3-02.

The Campaign filed Disclosure Statement #15 on December 5, 2017, one day after the December 4 deadline.

The Campaign was notified of this potential violation in the DAR, sent on April 20, 2018, and the Penalty Notice, sent on April 2, 2019.

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

4. Filing a late disclosure statement \$50

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), (12), 3-708(8); Board Rules 1-09, 3-02.

The Campaign filed Disclosure Statement #15 on December 5, 2017, one day after the December 4 deadline.

The Campaign was notified of this potential violation in the DAR, sent on April 20, 2018, and the Penalty Notice, sent on April 2, 2019.

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

5. Failing to respond to the Draft Audit Report \$500

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 failed to submit a response to the Draft Audit Report (the “DAR”), which was due on May 21, 2018. CFB staff made multiple attempts to contact the Campaign, but received no response.

The Board assessed a penalty of \$500 for this violation.

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