Frederick P. Schaffer
Chair

Gregory T. Camp Richard J. Davis Lawrence Moskowitz Marianne Camille Spraggins Members

> Beth Rotman Executive Director

February 6, 2023

## **By Email and CFB Portal**

Francisco Moya

Meghan Tadio-Benham Treasurer – Moya 2021 Tie

Moya 2021 Tie

## FINAL BOARD DETERMINATION - EC2021T TRANSITION AND INAUGURATION ENTITY ("TIE")

The New York City Campaign Finance Board (the "Board"), at a meeting held on January 17, 2023, made the following final determination regarding Francisco Moya's 2021 transition and inauguration entity (the "TIE"):

The Board determined that the Candidate, the Treasurer, and the TIE named above violated the Act and Board rules and are jointly and severally liable for paying \$700 in penalties as follows:

1. A penalty of \$500 for accepting prohibited donations. *See* Admin. Code §§ 3-702(18), 3-801(2)(d), (3); Board Rule 13-03(a).

The TIE received a \$250 donation from an individual listed on the DBDB at the time of the donation. The TIE did not refund the donation.

The Board assessed a \$500 penalty (the amount of the donation, plus \$250) for this violation.

2. A penalty of \$100 for failing to properly wind down TIE activities. See Admin. Code § 3-801(1), (2)(c), (6), (7); Board Rules 1-02, 13-03(b)(iii), (iv), (c).

The TIE's reported balance as of the Disclosure Statement #9 filing on August 5, 2022, was \$102.60. The TIE thus failed to properly wind down its activities by the April 30, 2022, deadline.

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

3. A penalty of \$100 for late response to requests for information or documentation. *See* Board Rules 13-04(a)-(d).

On May 17, 2022, CFB staff requested expenditure documentation, including contracts and/or detailed invoices, for certain transactions. The deadline to respond was June 7. Following the TIE's failure to respond, CFB staff reiterated its request in a June 22, 2022, letter. The TIE did not submit a response. Documentation related to the listed expenditures was provided for the first time in response to the Penalty Notice, submitted on October 13.

The Board assessed a \$100 penalty (\$50 per day late, up to the greater of 0.2% of aggregate donations or expenditures or \$100) for this violation.

You may challenge this final determination, within four months, in the New York State Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

If you need additional time to pay this amount or if you have any questions concerning this Final Board Determination, please contact Senior Associate Counsel Jason Yee at (212) 409-1765 or jyee@nyccfb.info.

Bethany Perskie General Counsel

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