



New York City Campaign Finance Board
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January 20, 2023

By Email and CFB Portal

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Reynoso for Brooklyn TIE
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**FINAL BOARD DETERMINATION – EC2021 T REYNOSO, ANTONIO
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 Antonio Reynoso’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 \$6,922 in penalties as follows:

1. 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).

After January 31 in the year following the election, a TIE may not make expenditures except (i) to satisfy liabilities incurred prior to January 31 or (ii) to make routine and nominal expenditures associated with and necessary to satisfying such liabilities and terminating the TIE, such as routine and nominal overhead costs, bank fees, taxes, and other reasonable expenses for compliance with applicable tax laws. In addition, the TIE must return all donations remaining after all liabilities have been extinguished and may not continue in existence after April 30 in the year following the year of the election or, in the case of a special election, more than 60 days after inauguration. *See* Admin. Code § 3-801(1), (2)(c), (6), (7); Board Rules 1-02, 13-03(b)(iii), (iv), (c).

The TIE's reported bank balance as of the Disclosure Statement #9 filing on August 5, 2022 was \$7,020.17. According to its bank statement, the TIE's balance as of June 30, 2022 was \$1,922.58. The TIE thus failed to properly wind down its activities by the April 30, 2022 deadline.

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

2. A penalty of \$225 for late filing of a periodic disclosure report. *See* Admin. Code §§ 3-801(5), (6); Board Rule 13-02.

Elected Candidates must file complete and accurate disclosure reports on scheduled dates. *See* Admin. Code §§ 3-801(5), (6); Board Rule 13-02.

The TIE Disclosure Statement #8 filing deadline was July 8, 2022; however, the TIE filed on July 11, three days late.

The Board assessed a penalty of \$225 (\$75 per day late) for this violation.

3. A penalty of \$5,962 for accepting prohibited donations. *See* Admin. Code §§ 3-702(18), 3-801(2)(d), (3); Board Rule 13-03(a).

Elected Candidates are prohibited from accepting donations from: (a) any corporation, limited liability company, limited liability partnership, or partnership; (b) any person listed in the Doing Business Database ("DBDB") as of the date of such donation, unless the donor is the candidate or a close family member of the candidate; (c) any political committee authorized by the candidate. *See* Admin. Code §§ 3-702(18), 3-801(2)(d), (3); Board Rule 13-03(a).

On December 7, 2021, the TIE received two donations from individuals listed on the Doing Business Database. The TIE was instructed to refund the donations by the next disclosure filing on March 7, but the TIE did not report or document a refund of either donation.

On April 20, 2022, the TIE received a \$975 donation from D'Arienzo Funeral Home, an entity listed on the New York State Department of State's website as a corporation. On May 12, CFB staff notified the TIE of this prohibited donation, and the TIE was instructed to refund the donation by the next disclosure filing on June 7. The TIE did not respond and did not report or document a refund of the donation.

The Board assessed total penalties of \$5,962 (\$2,250 each for the Doing Business donations, \$1,462 for the D'Arienzo donation, in each case 150% of the prohibited donation) for these violations.

4. A penalty of \$135 for failing to report transactions. *See* Admin. Code §§ 3-801(5)(a), (b), (6); Board Rule 13-02.

The TIE failed to report \$6,753.91 in transactions reflected on its bank statements.

The Board assessed total penalties of \$135 (2% of the unreported amount) for these violations.

5. A penalty of \$500 for failing to respond and late response to requests for information or documentation. *See* Board Rule 13-04(b).

Elected Candidates are required to maintain TIE records for five years after the date of registration and to provide information and records to the Board upon request in a timely manner. *See* Board Rules 13-04(c), (d). Records required to be kept include copies of donation checks, contracts and invoices for goods and services provided, and bank and depository statements. *See* Board Rule 13-04(b).

The TIE provided a contract with Red Horse Strategies which indicates a \$250 monthly retainer, but the invoice provided by the TIE indicates a \$500 monthly retainer. On February 16, 2022, CFB staff asked the TIE to provide an explanation for the retainer fee price discrepancy, but no response was received. CFB staff reiterated this request in subsequent mailings to the TIE on March 15, April 18, May 12, and June 21, 2022. The TIE failed to respond.

Additionally, CFB staff's May 12 letter to the TIE included a request for all documentation including invoices, receipts, and/or employment agreements for specific expenditures. CFB staff reiterated this request on June 21, 2022. The TIE did not respond

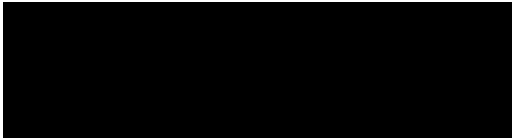
The Board assessed total penalties of \$500 (\$250 for each request for new information or documentation) for these violations.

The Board determined that the amount due is **\$6,922**. You must pay to the Board the full amount due of \$6,922 no later than February 20, 2022. Checks should be made payable to the "New York City Election Campaign Finance Fund," and mailed to the attention of Joseph Gallagher, Senior Counsel, New York City Campaign Finance Board, Church Street Station, P.O. Box 3525, New York, NY 10008-3525 or delivered to the offices of the Board.

If the Board is not in receipt of the full **\$6,922** by February 20, 2022, the Elected Candidate's name and the unpaid amount will be posted on the Board's Website and the Board may initiate a civil action against the TIE, the Elected Candidate, and the Treasurer to compel payment. In addition, you will be ineligible for public funds in any future election until this debt is paid in full

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 Joseph Gallagher, Senior Counsel, at (212) 409-1865 or jgallagher@nyccfb.info.



Bethany Perskie
General Counsel

**NEW YORK CITY
CAMPAIGN FINANCE BOARD**

SIGNATURE ON ORIGINAL