



New York City Campaign Finance Board
100 Church Street, 12th Floor, New York, NY 10007
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February 14, 2018

By E-mail and First Class Mail

Michael Ricatto



Mark Demetropoulos, Esq.
1101 Lexington Ave., Ste. 4R
New York, NY 10075

FINAL BOARD DETERMINATION – EC2017 INDEPENDENT SPENDER

The New York City Campaign Finance Board (“Board”), at a meeting held on February 8, 2018, made the following final determination concerning Michael Ricatto (“Ricatto” or the “Spender”):

The Board determined that Ricatto violated the Board Rules and is liable for paying \$4,380 in penalties as follows:

1. A penalty of \$1,980 for failure to file. *See* Board Rules 13-02(b), (c); 13-03(a)(1)(iii). On November 7, 2017, the Spender submitted a daily disclosure statement that reported a mass mailer, distributed on November 2, but failed to report newspaper advertisements, also distributed on November 2, and two robocalls, distributed beginning on October 31 and November 5. On December 4, 2017, the Spender filed a disclosure statement that included all of the known communications, with a reported total cost of \$16,000. The value of the newspaper advertisements and robocalls was \$13,200. A daily disclosure statement is considered a failure to file if it is not filed within three days of the due date or by the date of the election, whichever is earlier. The Board found a violation but did not assess a penalty for the failure to report the mass mailer, the reported cost of which was \$2,800. The Board assessed a penalty of 15% of the cost of the transactions for the failure to report the newspaper advertisements and the robocalls. The penalty was reduced from the CFB’s penalty guidelines due to mitigating circumstances.

2. A penalty of \$2,400 for use of paid for by notices that are incomplete. *See* Board Rule 13-04(a)(1), (3), (4). Although all reported communications identified the Spender by name, none of the paid for by notices included the additional language required. The Board assessed a penalty of \$2,400, 15% of the cost of the communications, for these violations.

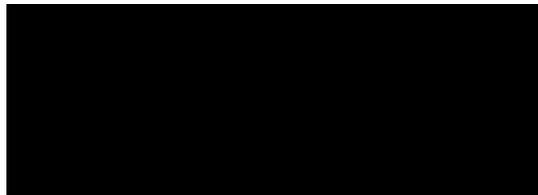
The Board determined that the amount due is \$4,380.

You must pay to the Board the full amount due of **\$4,380** no later than **March 16, 2018**. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Bethany Perskie, Deputy General Counsel, New York City Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$4,380 by March 16, 2018, the Independent Spender’s name and the unpaid amount will be posted on the Board’s Website and the Board may initiate a civil action against the Independent Spender to compel payment.

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 Bethany Perskie, Deputy General Counsel, at (212) 409-1861 or bperskie@nyccfb.info.



Signature on original

Hillary Weisman
General Counsel

**NEW YORK CITY
CAMPAIGN FINANCE BOARD**

HW/BP