

24L-16

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: May 16, 2024

ANALYST: Nataliya Ioffe

- I. COMMITTEE: Lafazan for Congress  
C00797241  
Alex Leibson, Treasurer  
P.O. Box 751  
Woodbury, NY 11797
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(2) and (4)  
52 U.S.C. § 30116(a) and (f)  
52 U.S.C. § 30118(a)  
11 C.F.R. § 102.5(b)  
11 C.F.R. § 102.9(e)  
11 C.F.R. § 103.3  
11 C.F.R. § 104.3(a)  
11 C.F.R. § 110.1(b)(3)  
11 C.F.R. § 110.1(g)  
11 C.F.R. § 110.2(b)  
11 C.F.R. § 114.2

III. BACKGROUND:

**Excessive, Prohibited and Other Impermissible Contributions (Failure to Refund, Redesignate, or Reattribute Excessive and Prohibited Contributions within the Permissible Timeframes)**

Lafazan for Congress (“the Committee”) received excessive and prohibited contributions totaling \$23,598.00 for the 2022 Primary and General Elections from individuals, unregistered organizations, and apparent corporations (Attachment 1). The Committee refunded all of these contributions outside of the permissible timeframes.

### **2021 Year-End Report**

During the [2021 Year-End](#) reporting period, December 13, 2021 through December 31, 2021, the Committee received excessive contributions totaling \$13,800.00 from individuals that were not remedied within the permissible timeframe.

On June 16, 2022, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the 2021 Year-End Report, filed January 31, 2022. The RFAI noted the Committee's receipt of apparent excessive contributions and requested that the Committee take corrective action concerning these contributions.

The Committee disclosed remedies totaling \$13,800.00 for excessive contributions received during the 2021 Year-End period that were previously cited in the RFAI. All these remedies were made outside of the permissible timeframe.

### **2022 July Quarterly Report**

During the [2022 July Quarterly](#) reporting period, April 1, 2022 through June 30, 2022, the Committee received excessive and prohibited contributions totaling \$8,199.00 from individuals and unregistered organizations that were not remedied within the permissible timeframe.

On May 23, 2023, an [RFAI](#) was sent to the Committee referencing the 2022 July Quarterly Report, filed July 15, 2022. The RFAI noted the Committee's receipt of apparent excessive and prohibited contributions and requested that the Committee take corrective action concerning these contributions.

The Committee disclosed remedies totaling \$8,199.00 for excessive and prohibited contributions received during the 2022 July Quarterly period that were previously cited in the RFAI. All these remedies were made outside of the permissible timeframe.

### **2022 12-Day Pre-Primary Report**

During the [2022 12-Day Pre-Primary](#) reporting period, July 1, 2022 through August 3, 2022, the Committee received an excessive contribution of \$99.00 from an individual that was not remedied within the permissible timeframe.

On May 23, 2023, an [RFAI](#) was sent to the Committee referencing the 2022 12-Day Pre-Primary Report, filed August 11, 2022. The RFAI noted the Committee's receipt of apparent excessive contributions and requested that the Committee take corrective action concerning these contributions.

The Committee disclosed a remedy of \$99.00 for the excessive contribution received during the 2022 12-Day Pre-Primary period that was previously cited in the RFAI. This remedy was made outside of the permissible timeframe.

### **2022 October Quarterly Report**

During the [2022 October Quarterly](#) reporting period, August 4, 2022 through September 30, 2022, the Committee received prohibited contributions totaling \$1,500.00 from apparent corporations that were not remedied within the permissible timeframe.

On May 23, 2023, an [RFAI](#) was sent to the Committee referencing the 2022 October Quarterly Report, filed October 15, 2022. The RFAI noted the Committee's receipt of apparent prohibited contributions and requested that the Committee take corrective action concerning these contributions.

The Committee disclosed remedies totaling \$1,500.00 for prohibited contributions received during the 2022 October Quarterly period that were previously cited in the RFAI. All these remedies were made outside of the permissible timeframe.

### **Excessive, Prohibited and Other Impermissible Contributions (Failure to Refund, Redesignate, or Reattribute General Election Contributions within the Permissible Timeframe after the Candidate Lost the Primary Election)**

Lafazan for Congress ("the Committee") received 2022 General Election contributions totaling \$2,600.00 that were not refunded or redesignated within the permissible timeframe from the date Joshua Lafazan ("the Candidate") lost the 2022 New York Primary Election (Attachment 1). The Committee refunded all these contributions outside the permissible timeframe.

### **2021 Year-End Report**

During the [2021 Year-End](#) reporting period, December 13, 2021 through December 31, 2021, the Committee received 2022 General Election contributions totaling \$2,600.00 from limited liability companies (LLCs), attributed to the same individual, that were remedied outside the permissible timeframe.

On August 23, 2022, the Candidate lost the New York 2022 Primary Election.

On May 23, 2023, an [RFAI](#) referencing the 2022 October Quarterly Report was sent to the Committee. The RFAI noted the Committee's receipt of apparent 2022 General Election contributions that were not refunded or redesignated within the permissible timeframe from the date the Candidate lost the 2022 New York Primary Election and requested that the Committee take corrective action concerning these contributions.

On March 21, 2024, the Committee filed an [Amended 2023 July Quarterly Report](#), which disclosed refunds of the 2022 General Election contributions totaling \$2,600.00. All these refunds were made outside the permissible timeframe.

Since June 23, 2023, RAD logged seventeen (17) communications with the representatives of the Committee which reflect efforts to help the Committee voluntarily

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comply with the Act. RAD was able to successfully connect with the Committee on five (5) occasions. RAD informed Neil Reiff, the Committer's counsel, of the issue of late-remedied excessive and prohibited 2022 Primary and General Election contributions and explained the matter was referable to another Commission office for further review (Attachment 2). To date, no further communications have been received from the Committee regarding this matter.

Filings and correspondence related to the Committee can be found here: [Lafazan for Congress](#).

**Lafazan for Congress (C00797241)**

Excessive and Prohibited Contributions Refunded Outside Permissible Timeframes, Listed by Report

**Late-Remedied Excessive and Prohibited Contributions***2021 Year-End Report*

	Date	Contribution Amount	Election	Excessive Amount Not Remedied within Timeframe*	Remedied # Days Since Receipt
<b>Contributions from Individuals</b>					
Fang, Wei	12/13/2021	\$500.00	P2022		
Fang, Wei	12/31/2021	\$2,900.00	P2022		
Fang, Wei	3/31/2022	-\$500.00	P2022	\$500.00	90
Lafazan, Lynda	12/31/2021	\$5,800.00	P2022		
Lafazan, Lynda	12/31/2021	\$2,900.00	P2022		
Lafazan, Lynda	3/31/2022	-\$5,800.00	P2022	\$5,800.00	90
Lawrence, Bryan H	12/31/2021	\$5,800.00	P2022		
Lawrence, Bryan H	12/31/2021	\$2,900.00	P2022		
Lawrence, Bryan H	3/31/2022	-\$5,800.00	P2022	\$5,800.00	90
Levine, Andrew	12/20/2021	\$400.00	G2022		
Levine, Andrew	12/20/2021	\$1,700.00	G2022		
Levine, Andrew	12/29/2021	\$2,500.00	G2022		
Levine, Andrew J	7/20/2022	-\$1,700.00	G2022	\$1,700.00	203
Levine, Andrew J	8/3/2022	-\$1,900.00	G2022		
Levine, Andrew J	10/22/2022	-\$1,000.00	G2022		
<b>Total Excessive Contributions Remedied Outside the Permissible Timeframe:</b>				<b>\$13,800.00</b>	

\*For General Election contributions, this chart cites the excessive amount that was remedied outside of the permissible timeframe from the date of receipt of the excessive contribution(s). The remaining amount was remedied within 60 days of the candidate's Primary Election loss and is not included in this referral.

*2022 July Quarterly Report*

	Date	Contribution Amount	Election	Excessive/Prohibited Amount Not Remedied within Timeframe*	Remedied # Days Since Receipt
<b>Contributions from Unregistered Organizations</b>					
Friends Of Brad Schwartz	6/30/2022	\$1,000.00	O2022		
Friends Of Brad Schwartz	8/17/2022	-\$1,000.00	O2022	\$1,000.00	48

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## Excessive and Prohibited Contributions Refunded Outside Permissible Timeframes, Listed by Report

New York Spine Institute	6/30/2022	\$2,900.00	O2022, August 23 Primary		
New York Spine Institute	9/29/2023	-\$2,900.00	O2022, August 23 Primary	\$2,900.00	456
<b>Contributions from Individuals</b>					
Lafazan, Jeffrey A	6/28/2022	\$2,900.00	O2022		
Lafazan, Jeff	6/30/2022	\$2,900.00	O2022		
Lafazan, Jeff	6/30/2023	-\$2,900.00	O2022	\$2,900.00	365
Weiss, Michael S	3/31/2022	\$2,100.00	G2022		
Weiss, Michael	5/22/2022	\$2,100.00	G2022		
Weiss, Michael	10/22/2022	-\$4,200.00	G2022	\$1,300.00	153
Wu, Bin	3/31/2022	\$2,900.00	G2022		
Wu, Bin	6/30/2022	\$99.00	G2022		
Wu, Bin	10/22/2022	-\$3,197.00	G2022	\$99.00	114
<b>Total Excessive and Prohibited Contributions Remedied Outside of the Permissible Timeframe:</b>				<b>\$8,199.00</b>	

\*For General Election contributions, this chart cites the excessive amount that was remedied outside of the permissible timeframe from the date of receipt of the excessive contribution(s). The remaining amount was remedied within 60 days of the candidate's Primary Election loss and is not included in this referral.

*2022 12-Day Pre-Primary Report*

	Date	Contribution Amount	Election	Excessive Amount Not Remedied within Timeframe*	Remedied # Days Since Receipt
<b>Contributions from Individuals</b>					
Wu, Bin	3/31/2022	\$2,900.00	G2022		
Wu, Bin**	6/30/2022	\$99.00	G2022		
Wu, Bin	7/30/2022	\$99.00	G2022		
Wu, Bin	10/22/2022	-\$3,197.00	G2022	\$99.00	84
<b>Total Excessive Contributions Remedied Outside the Permissible Timeframe:</b>				<b>\$99.00</b>	

\*For General Election contributions, this chart cites the excessive amount that was remedied outside of the permissible timeframe from the date of receipt of the excessive contribution(s). The remaining amount was remedied within 60 days of the candidate's Primary Election loss and is not included in this referral.

\*\*The 6/30/2022 excessive contribution is counted in the 2022 July Quarterly Report section above and is not included in the violation total for the 2022 12-Day Pre-Primary Report section.

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Excessive and Prohibited Contributions Refunded Outside Permissible Timeframes, Listed by Report

*2022 October Quarterly Report*

	Date	Contribution Amount	Election	Prohibited Amount Not Remedied within Timeframe	Remedied # Days Since Receipt
<b>Contributions from Corporations</b>					
Gifts Den	8/22/2022	\$500.00	O2022, August 23 Primary		
Gifts Den	6/30/2023	-\$500.00	O2022, August 23 Primary	\$500.00	312
Rock Crush LLC	8/19/2022	\$1,000.00	O2022, August 23 Primary		
Rock Crush LLC	6/30/2023	-\$1,000.00	O2022, August 23 Primary	\$1,000.00	315
<b>Total Prohibited Contributions Remedied Outside the Permissible Timeframe:</b>				<b>\$1,500.00</b>	

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2022 General Election Contributions Refunded Outside Permissible Timeframe, Listed by Contributor

<b>Name</b>	<b>Date</b>	<b>Contribution Amount</b>	<b>Amount Not Remedied within Timeframe</b>	<b>Remedied # Days since 8/23/22 Primary Loss</b>
<b>Limited Liability Companies</b>				
1400 Old Country Realty, LLC*	12/31/2021	\$1,000.00		
1400 Old Country Realty, LLC*	6/30/2023	-\$1,000.00	\$1,000.00	311
330-350 Motor Pkwy. Realty, LLC*	12/31/2021	\$600.00		
330-350 Motor Pkwy. Realty, LLC*	6/30/2023	-\$600.00	\$600.00	311
ACME Commercial Construction, LLC*	12/31/2021	\$1,000.00		
ACME Commercial Construction, LLC*	6/30/2023	-\$1,000.00	\$1,000.00	311
<b>Total Amount Refunded Outside Permissible Timeframe:</b>			<b>\$2,600.00</b>	

\*Partnership attribution to Supinsky, Jeff; designated for the 2022 General Election.



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## Breakdown of Remedied Excessive and Prohibited Contributions (all reports)

<b>Total Amount of Prohibited Receipts (all reports):</b>	<b>\$5,400.00</b>
<b>Total Amount of Excessive Receipts (all reports)*:</b>	<b>\$20,798.00</b>
<b>Total Excessive/Prohibited Amount Remedied Outside of the Permissible Timeframe (all reports)*:</b>	<b>\$26,198.00</b>
<b>Total Amount Unremedied (all reports):</b>	<b>\$0.00</b>
<b>Total Referred (all reports):</b>	<b>\$26,198.00</b>

\*Includes late-remedied 2022 General Election contributions.