

NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY  
540 Broadway  
Albany, New York 12207  
(518) 474-4539

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In the Matter of Martin Smith  
Director Designee of the Harlem Community Development  
Corp. c/o Empire State Development Corp.

Respondent

DECISION  
and  
NOTICE OF CIVIL ASSESSMENT

Case No. DEDOS063994

Failure to File an Annual Statement of  
Financial Disclosure for 2006

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The New York State Commission on Public Integrity, at its August 5, 2008 meeting, having considered the hearing officer's findings of fact and recommendation in the above-captioned case, affirms the hearing officer's findings that you knowingly and wilfully failed to timely file an annual statement of financial disclosure for calendar year 2006.

You are directed to remit to the New York State Commission on Public Integrity by certified check made payable to the New York State Commission on Public Integrity, a civil penalty in the amount of \$400 within 30 days.

John D. Feerick,  
Chair  
Daniel R. Alonso  
Virginia M. Apuzzo  
John M. Brickman  
Andrew G. Celli, Jr.  
Richard D. Emery  
Daniel J. French  
Robert J. Giuffra, Jr.  
David L. Gruenberg  
Hon. James P. King  
Hon. Howard A. Levine  
Loretta E. Lynch  
John T. Mitchell,  
Members

DATED: August 5, 2008

**NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY  
PROCEDURAL HISTORY**

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In the Matter of Martin Smith  
a Director Designee of the **Harlem Community Development Corp.**  
**c/o Empire State Development Corp.**

1. Respondent was required to file the annual statement of financial disclosure ("Statement") for calendar year 2006 by May 15, 2007, as required by Public Officers Law §73-a, because Respondent was designated as a policy-maker by his employer.
2. Respondent was sent a Notice of Failure to File on July 5, 2007 and subsequently, on October 23, 2007, he was sent a Notice of Delinquency.
3. Respondent was sent a Notice of Hearing on March 13, 2008.
4. The hearing was concluded on April 28, 2008 at 11:00a.m. in Albany, New York. Respondent failed to appear.