

In the Matter of YL Management, LLC,

Respondent.

DECISION

Alleged Violations of Lobbying Act §1-j.

YL Management, LLC (“Respondent”), a client in 2010, was required to file the 2010 July/December Client Semi-Annual Report (“2010 July/December Report”) by January 15, 2011 pursuant to Article 1-A of the Legislative Law (“Lobbying Act”) §1-j, because the Respondent retained, employed, or designated a lobbyist and Respondent reasonably anticipated that it would expend or incur reportable compensation and expenses in an amount in excess of \$5,000 during the 2010 calendar year.

On April 19, 2012, a Notice of Failure to File was issued which afforded the Respondent 15 days to file the Report.

On May 14, 2012, the Commission sent Respondent a Notice of Substantial Basis Investigation, including a proposed settlement agreement for \$3,000.

On June 24, 2014, the Commission approved an Amended Substantial Basis Investigation Report, finding that a substantial basis existed to conclude that Respondent knowingly and willfully failed to file timely its 2010 July/December Report.

On August 12, 2014, a Notice of Hearing was issued to Respondent. On September 10, 2014, a hearing was held pursuant to Lobbying Act §1-o(c)(i) and 19 NYCRR §941. Respondent did not attend or put forth a defense.

On September 25, 2014, the hearing officer, Judge George C. Pratt, issued a Report and Recommendation (“Report and Recommendation”), in which he found that a fine was not appropriate in this matter because the violation was not “knowing and willful,” and recommended that the violation be dismissed.

The parties were given 10 days from receipt of the Report and Recommendation to respond. On October 9, 2014, the Commission staff submitted its response to the Report and Recommendation. No response was received from the Respondent.

The Joint Commission on Public Ethics (“Commission”) hereby affirms the Hearing Officer’s finding that Respondent did not knowingly and willfully fail to file its 2010 July/December Report. Accordingly, the Commission dismisses the alleged violation and directs that no civil penalty shall be assessed against the Respondent.

Approved: Paul Casteleiro
Hon. Joseph Covello
Seymour Knox, IV
Hon. Mary Lou Rath
David A. Renzi
Michael A. Romeo, Sr.
Hon. Renee R. Roth
George H. Weissman
Members

Dissented: Daniel J. Horwitz
Chair
Gary J. Lavine
Member

Absent: David Arroyo
Marvin E. Jacob
Members

DATED: November 25, 2014