

July 9, 2018

Barbara Underwood  
Acting Attorney General  
Office of the Attorney General  
The Capitol  
Albany, NY 12224-0341

Dear Attorney General Underwood:

We are writing to bring to your attention and request prompt investigation by the Office of Attorney General under Not-for-profit Corporation Law § 112 of apparent illegal political activities by the Lincoln Civic Block Association, Inc., a New York not-for-profit corporation under the control of New York State Senator Jesse Hamilton, and Sen. Hamilton's dereliction of his duty to LCBA. This matter is urgent since Sen. Hamilton is currently running for reelection and apparently continuing to use LCBA's resources to benefit his campaign.

**Some of the relevant facts were reported in a long investigative story in Crain's New York Business on April 18, 2018.<sup>1</sup>** Our own review has found some additional troubling problems.

Apparent illegal use of LCBA resources:

- LCBA is apparently allowing Sen. Hamilton to operate a political office in an apartment it owns but charging him far below market rate rent.
- Property records indicate that the LCBA apartment Sen. Hamilton is using is subject to a mortgage that limits its use to a residence for a low income family, and that the apartment zoned for residential use only.
- **Even if there are no mortgage or zoning restrictions on use of the apartment, LBCA's rent is an in kind contribution to Sen. Hamilton that exceeds the amount that a corporation is allowed contribute to a candidate for a New York public office**

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<sup>1</sup> W. Bredderman, "Brooklyn pol runs campaign out of his nonprofit's housing," Crain's New York Business (April 10, 2018); Available at <http://www.craigslist.com/article/20180410/POLITICS/180409914/brooklyn-state-sen-jesse-hamilton-runs-campaign-out-of-his-nonprofits-housing>

## Dereliction of Corporate Officer Duty:

- **Sen. Hamilton's illegal use of the LBCA's apartment apparently began and continued while he was LCBA's president with a duty to operate the corporation within the law.**
- **While LCBA's president, Sen. Hamilton apparently allowed LCBA to lose its tax exemption.**
- **Sen. Hamilton apparently was LBCA's president when LBCA defaulted on its registration filings with the New York City Department of Housing Preservation and Development.**

## Questionable Use of Corporate Assets

- The building at 284 New York should provide LCBA substantial annual rent income but the use of this income is unknown because LCBA has not made a public financial disclosure since 2006 and provided only limited public financial information for 2004, 2005, and 2006.
- **LCBA's 2006 IRS Form 990 indicated that the corporation had \$62,000 in "Land and buildings." The only building that LCBA owns is 284 New York Avenue.**
- Real estate industry postings estimate the current market value of 284 New York Avenue at **more than \$1 million. LCBA's intentions concerning this substantial asset are unknown.**

As detailed below and in accompanying attachments, there is more than sufficient cause to justify an **immediate and thorough investigation of LCBA and Sen. Hamilton's role at LCBA.**

## The Lincoln Civic Block Association

- LCBA is registered with the New York Secretary of State as a not-for-profit corporation.<sup>2</sup>
- In his required ethics reports for 2014, 2015 and 2016, Sen. Hamilton states that he was President of LCBA during these years.<sup>3</sup>
- In his required ethics reports for 2014, 2015 and 2016, Sen. Hamilton does not disclose that LCBA provided him any gift, reimbursement, or compensation in any of years covered by the reports.<sup>4</sup>
- **According to Crain's, Sen. Hamilton took control of LCBA by at least 2004.**

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<sup>2</sup> Available at

[https://appext20.dos.ny.gov/corp\\_public/CORPSEARCH.ENTITY\\_INFORMATION?p\\_token=6D12CE1D628D33803CB29BD6853286C8F8007411C72003D41F0E7873150109EF6A1FC9BB47F44E3535AB735380F9D6AA&p\\_nameid=FC7FEC3185268365&p\\_corpid=285B543CDB5A38F3&p\\_captcha=19069&p\\_captcha\\_check=6D12CE1D628D33803CB29BD6853286C8F8007411C72003D41F0E7873150109EF1612EB1EC08149C6A51876165C2B9FE2&p\\_entity\\_name=%4C%69%6E%63%6F%6C%6E%20%43%69%76%69%63%20%42%6C%6F%63%6B%20%41%73%73%6F%63%69%61%74%69%6F%6E&p\\_name\\_type=%41&p\\_search\\_type=%42%45%47%49%4E%53&p\\_srch\\_results\\_page=0](https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_INFORMATION?p_token=6D12CE1D628D33803CB29BD6853286C8F8007411C72003D41F0E7873150109EF6A1FC9BB47F44E3535AB735380F9D6AA&p_nameid=FC7FEC3185268365&p_corpid=285B543CDB5A38F3&p_captcha=19069&p_captcha_check=6D12CE1D628D33803CB29BD6853286C8F8007411C72003D41F0E7873150109EF1612EB1EC08149C6A51876165C2B9FE2&p_entity_name=%4C%69%6E%63%6F%6C%6E%20%43%69%76%69%63%20%42%6C%6F%63%6B%20%41%73%73%6F%63%69%61%74%69%6F%6E&p_name_type=%41&p_search_type=%42%45%47%49%4E%53&p_srch_results_page=0)

<sup>3</sup> See answers to Question 4 of the ethics reports, available respectively at

<https://www.jcope.ny.gov/system/files/documents/2018/01/senator-hamilton-j2014.pdf>, <https://www.jcope.ny.gov/system/files/documents/2018/01/senator-hamilton-j2015withamendments.pdf>, and <https://www.jcope.ny.gov/system/files/documents/2018/01/senator-hamilton-j2016.pdf>.

<sup>4</sup> See answers to Question 9 in Sen. Hamilton's ethics reports.



- LCBA's IRS Form 990's for 2004, 2005 and 2006 show Sen. Hamilton as corporate president.<sup>5</sup>
- Sen. Hamilton may not currently be an LCBA officer **but if he no longer is LCBA's president** we have no information about when he resigned. As of June 11, 2018 his bio on the Friends of Jesse website states that he "is" (present tense) LCBA's president.<sup>6</sup>
- In 1990 LCBA executed a mortgage to secure a Private Housing Finance Article 8-A loan to rehabilitate 284 New York Avenue, the building that contains the apartment Sen. Hamilton is using for political campaigning.<sup>7</sup>
- **The IRS revoked LCBA's tax-exempt status** effective May 15, 2010 for repeated failure to file required reports.<sup>8</sup>
- **The 2006 filing is the latest LCBA IRS Form 990 we have found. LCBA's defaulting on filing Form 990's after 2006 is consistent with IRS' revocation of the corporation's tax exempt status in 2010.**
- HPD records indicate that LCBA is currently delinquent on its annual registrations for 284 New York Avenue.<sup>9</sup>

## 284 New York Avenue

- LCBA purchased the three story apartment building at 284 New York Avenue for \$25,000 in 1981.<sup>10</sup>
- 284 New York Avenue is classified for residential use only.<sup>11</sup>
- **According to Crain's, LCBA has not filed the required annual registration with HPD for 14 years.**
- In 1990 LCBA obtained an Article 8-A loan. Article 8-A loans, now referred to as Multifamily Housing Rehabilitation Loans, provide financing for private housing repairs in return for restricting occupancy solely by low-income families.<sup>12</sup>

<sup>5</sup> LCBA 2004 Form 990 available at <https://www.guidestar.org/FinDocuments/2004/116/268/2004-116268107-018fd714-Z.pdf>; LCBA 2005 Form 990 available at <https://www.guidestar.org/FinDocuments/2005/116/268/2005-116268107-03dad648-ZO.pdf>; and LCBA 2006 Form 990 available at <https://www.guidestar.org/FinDocuments/2006/116/268/2006-116268107-03dbc7ea-ZO.pdf>.

<sup>6</sup> See <http://www.jessehamilton.com/bio>.

<sup>7</sup> Available at [https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc\\_id=FT\\_3210001572021](https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=FT_3210001572021).

<sup>8</sup> See, e.g.,

<https://apps.irs.gov/app/eos/displayAll.do?dispatchMethod=displayAllInfo&Id=209778&ein=116268107&zipCode=&country=US&deductibility=all&dispatchMethod=searchAll&isDescending=false&city=&ein1=11-268107&postDateFrom=&exemptTypeCode=al&submitName=Search&sortColumn=orgName&totalResults=1&names=&resultsPerPage=25&indexOfFirstRow=0&postDateTo=&searchChoice=&state=NY>.

<sup>9</sup> See, e.g., results of search at <http://www1.nyc.gov/site/hpd/about/hpdonline.page> for HPD records for 284 New York Avenue.

<sup>10</sup> See [https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc\\_id=BK\\_8130123001040](https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=BK_8130123001040)

<sup>11</sup> See Certificate of Occupancy, available at <http://a810-bisweb.nyc.gov/bisweb/CofDocumentContentServlet?passjobnumber=null&cofomatadata1=cofo&cofomatadata2=B&cofomatadata3=000&cofomatadata4=188000&cofomatadata5=B000188131.PDF&requestid=2>.

<sup>12</sup> See, e.g., <http://www1.nyc.gov/assets/hpd/downloads/pdf/developers/term-sheets/housing-rehabilitation-loan-program-term-sheet.pdf>.



- The restriction to occupancy by low-income families is set out in the mortgage LCBA gave to secure the Article 8-A loan.
- **LCBA's mortgage for the Article 8-A loan is still on New York City's property records.**<sup>13</sup>
- Owners of multiunit residential buildings in New York City are required to register with HPD annually.<sup>14</sup>
- HPD records indicate that 284 New York Avenue is not currently registered.<sup>15</sup>
- **Crain's indicates that when visited 284 New York Avenue appeared to have residents only on the first and third floors.**
- **On line telephone service by address information supports Crain's observation that there are residential tenants on the first and third floors at 284 New York Avenue.**<sup>16</sup>
- Reverse telephone number lookups place LCBA at 284 New York Avenue.<sup>17</sup>
- Electric, natural gas, and land line telephone utility records may provide information about when each of the three apartments at 284 New York Avenue was leased or occupied, and by whom.
- Each apartment at 284 New York Avenue is about 1,500 square feet.<sup>18</sup>
- Real estate industry postings on line suggest that current market rent for similar apartments in the neighborhood around 284 New York Avenue suggests are \$1,000 a month or more.<sup>19</sup>
- The New York City Department of Finance estimates the current market value of 284 New York Avenue at over \$1.6 million.<sup>20</sup>

## LCBA Assets

- We have a copy of an LCBA 2004 IRS Form 990 that states that in 2004 LCBA received \$17,100 in rental income. The Form 990 does not indicate the source of this rental income.
- We have not found any indication that LCBA owns any real estate other than 284 New York Avenue.<sup>21</sup>
- There are records of politicians paying rent to use 284 New York Avenue.<sup>22</sup>

<sup>13</sup> See results of search of New York City for Borough of Brooklyn, block 01255, lot 0048.

<sup>14</sup> See, e.g., <http://www1.nyc.gov/site/hpd/owners/compliance-register-your-property.page>.

<sup>15</sup> [https://hpdonline.hpdnyc.org/HPDOnline/select\\_application.aspx](https://hpdonline.hpdnyc.org/HPDOnline/select_application.aspx).

<sup>16</sup> See, e.g.,

<https://www.whitepages.com/search/FindNearby?utf8=%E2%9C%93&street=284+New+York+Avenue&where=Brooklyn%2C+NY>.

<sup>17</sup> See, e.g., <https://1called.com/phone-7187786956.amp>.

<sup>18</sup> See, e.g., New York City Department of Finance tax map at

[http://maps.nyc.gov/taxmap/map.htm?searchType=BblSearch&featureTypeName=EVERY\\_BBL&borough=Brooklyn&block=1255&lot=48](http://maps.nyc.gov/taxmap/map.htm?searchType=BblSearch&featureTypeName=EVERY_BBL&borough=Brooklyn&block=1255&lot=48), and [https://www.zillow.com/homedetails/284-New-York-Ave-Brooklyn-NY-11216/30592811\\_zpid/](https://www.zillow.com/homedetails/284-New-York-Ave-Brooklyn-NY-11216/30592811_zpid/).

<sup>19</sup> See, e.g., <http://apartable.com/buildings/284-new-york-avenue-brooklyn>.

<sup>20</sup> January 15, 2018 Notice of Property Value; available at

<http://nycprop.nyc.gov/nycproperty/StatementSearch?bbl=3012550048&stmtDate=20180115&stmtType=NPV>

<sup>21</sup> LCBA 2004 Form 990 available at <https://www.guidestar.org/FinDocuments/2004/116/268/2004-116268107-018fd714-Z.pdf>.

<sup>22</sup> See, e.g., Ama Dwimoh for Brooklyn DA,

[http://www.elections.ny.gov:8080/plsql\\_browser/EXPENSESA\\_county?ID\\_in=C06613&date\\_From=01/01/2004&date\\_to=0](http://www.elections.ny.gov:8080/plsql_browser/EXPENSESA_county?ID_in=C06613&date_From=01/01/2004&date_to=0)



- We have a copy of an LCBA 2005 IRS Form 990 that does not show any rental or other income.<sup>23</sup>
- **We have a copy of an LCBA 2006 IRS Form 990 that states that LCBA received \$3,105 “NET RENTAL INCOME” in 2006 and refers to a “Schedule C” containing the details of such net rental income.** There is not Schedule C attached to the LCBA 2006 Form 990 we found.<sup>24</sup>
- At its website, LCBA describes itself as a membership organization with \$25 per household annual dues.<sup>25</sup>
- **Other than \$250 membership dues reported on the 2004 Form 990, the LCBA Form 990’s we have do not report income membership dues.**
- Other than \$3,420 in salaries and \$2,950 in other expenses on the 2006 Form 990, the LCBA **Form 990’s we have do not report any expenses.**
- **On copies of the Form 990’s we have, LCBA reported Land and buildings assets of \$60,000 in 2004, increased that value to \$62,000 in 2005, and maintained the value at \$62,000 in 2006.**
- Real estate industry postings on the internet estimate the current market value of 284 New York Avenue at well over 1\$ million.<sup>26</sup>
- **The copies of the LCBA Form 990’s we were able to locate are either incomplete or suspect.** The copy of the 2004 LCBA Form 990 we located is only two pages and has a portion of the second page blacked out. The Form 990 copies for 2005 and 2006 are longer but on various pages have smudges that may indicate that information on the original was erased or whited out before the copy was made.
- **Both the 2005 and the 2006 LCBA Form 990 copies we have have attached Scheduled A’s** intended for use by Section 501(c) (3) charitable organizations. Our understanding is that IRS granted LCBA tax exempt status, now revoked, as a Section 501(c) (4) social welfare organization, not as a charity.
- Not-for-profit Corporation Law § 519 requires not-for-profit corporate boards to prepare annual reports concerning a **corporation’s finances and post this report in the corporation’s** records. However, these annual reports are not public records.

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[6/13/2018&OFFICE\\_in=ALL&AMOUNT\\_From=10&AMOUNT\\_to=20000&ZIP1=10000&ZIP2=19999&ORDERBY\\_IN=N](http://www.elections.ny.gov:8080/plsql_browser/EXPENSESA_county?ID_in=C88287&date_From=01/01/2004&date_to=06/13/2018&OFFICE_in=ALL&AMOUNT_From=10&AMOUNT_to=20000&ZIP1=10000&ZIP2=19999&ORDERBY_IN=N); Jesse Hamilton 2013,  
[http://www.elections.ny.gov:8080/plsql\\_browser/EXPENSESA\\_county?ID\\_in=C88287&date\\_From=01/01/2004&date\\_to=06/13/2018&OFFICE\\_in=ALL&AMOUNT\\_From=10&AMOUNT\\_to=20000&ZIP1=10000&ZIP2=19999&ORDERBY\\_IN=N](http://www.elections.ny.gov:8080/plsql_browser/EXPENSESA_county?ID_in=C06531&date_From=01/01/2004&date_to=06/13/2018&OFFICE_in=ALL&AMOUNT_From=10&AMOUNT_to=20000&ZIP1=10000&ZIP2=19999&ORDERBY_IN=N); Pia Raymond 2017,  
[http://www.elections.ny.gov:8080/plsql\\_browser/EXPENSESA\\_county?ID\\_in=C06531&date\\_From=01/01/2004&date\\_to=06/13/2018&OFFICE\\_in=ALL&AMOUNT\\_From=10&AMOUNT\\_to=20000&ZIP1=10000&ZIP2=19999&ORDERBY\\_IN=N](http://www.elections.ny.gov:8080/plsql_browser/EXPENSESA_county?ID_in=C06531&date_From=01/01/2004&date_to=06/13/2018&OFFICE_in=ALL&AMOUNT_From=10&AMOUNT_to=20000&ZIP1=10000&ZIP2=19999&ORDERBY_IN=N).

<sup>23</sup> LCBA 2005 Form 990 available at <https://www.guidestar.org/FinDocuments/2005/116/268/2005-116268107-03dad648-ZO.pdf>.

<sup>24</sup>LCBA 2006 Form 990 available at <https://www.guidestar.org/FinDocuments/2006/116/268/2006-116268107-03dbc7ea-ZO.pdf>.

<sup>25</sup> See <http://www.lcbabklyn.com/>.

<sup>26</sup> See, e.g., <https://www.realtytrac.com/property/ny/brooklyn/11216/284-new-york-ave/141089645>.



## Senator Jesse Hamilton

- **Sen. Hamilton's heavy involvement in LCBA's activities is evident from the postings at LCBA's website.**<sup>27</sup>
- **Sen. Hamilton's use of LCBA's facilities for personal electoral efforts goes back at least to 2007, when he used 284 New York Avenue to register a corporation political committee for a New York City Council campaign.**<sup>28</sup> The New York State Secretary of State lists this corporation as active.
- **Sen. Hamilton's use of 284 New York Avenue for political campaigning is further evident by his use of 284 New York Avenue for his personal political club, the Rosa Parks Independent Democratic Club.**<sup>29</sup>
- Sen. Hamilton ran for and was elected to his current office in 2014. Financial reports for **Friends of Jesse Hamilton, the Senator's current political campaign committee, indicate that the committee paid LCBA \$2,700 in 2014, \$1,200 in 2015, \$1,000 in 2016, \$4,200 in 2017, and nothing for 2018 for use of space at 284 New York Avenue.**<sup>30</sup>

## Illegal Use of 284 New York Avenue

- If Sen. Hamilton is using an apartment at 284 New York Avenue for his election campaign he is in violation of the classification that restricts this building to residential use only.
- At any time before LCBA satisfies the Article 8-A mortgage on 284 New York Avenue LCBA would violate the mortgage terms by permitting Sen. Hamilton to use the building for his campaign.

## Illegal LCBA Corporate Political Contributions

- LCBA is limited to \$5,000 per year aggregate political contributions. Election Law § 14-116(2).
- If LCBA made no other political contributions during 2014, the difference between \$1,000 per month fair market rent for an apartment at 284 New York Avenue and the \$2,700 Sen. Hamilton paid during the year was an illegal in kind political contribution of \$4,300, and a

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<sup>27</sup> See, e.g., <http://www.lcbabklyn.com/new-page/>.

<sup>28</sup> Available at

[https://appext20.dos.ny.gov/corp\\_public/CORPSEARCH.ENTITY\\_INFORMATION?p\\_token=5DCD498647D882B534A66EB96AA118002B73FA56E6A9A9F8CB7D54AE426043808ABD6DB1E94553E5D5CD589B50C5C095&p\\_nameid=8A903853CAA0C176&p\\_corpid=70BE7E18FDB930BA&p\\_captcha=10993&p\\_captcha\\_check=5DCD498647D882B534A66EB96AA118002B73FA56E6A9A9F8CB7D54AE426043803C30B01CAF6BDCD18E5514A82799DC36&p\\_entity\\_name=%46%61%6D%69%6C%79%20%56%61%6C%75%65%73&p\\_name\\_type=%41&p\\_search\\_type=%42%45%47%49%4E%53&p\\_srch\\_results\\_page=0](https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_INFORMATION?p_token=5DCD498647D882B534A66EB96AA118002B73FA56E6A9A9F8CB7D54AE426043808ABD6DB1E94553E5D5CD589B50C5C095&p_nameid=8A903853CAA0C176&p_corpid=70BE7E18FDB930BA&p_captcha=10993&p_captcha_check=5DCD498647D882B534A66EB96AA118002B73FA56E6A9A9F8CB7D54AE426043803C30B01CAF6BDCD18E5514A82799DC36&p_entity_name=%46%61%6D%69%6C%79%20%56%61%6C%75%65%73&p_name_type=%41&p_search_type=%42%45%47%49%4E%53&p_srch_results_page=0)

<sup>29</sup> See, e.g., <https://www.kingscountypolitics.com/political-clubs/rosa-parks-independent-democratic-club/>.

<sup>30</sup> Available at

[http://www.elections.ny.gov:8080/plsql\\_browser/EXPENSESA\\_county?ID\\_in=A19657&date\\_From=01/01/2014&date\\_to=06/10/2018&OFFICE\\_in=ALL&AMOUNT\\_From=10&AMOUNT\\_to=100000&ZIP1=10000&ZIP2=99999&ORDERBY\\_IN=N](http://www.elections.ny.gov:8080/plsql_browser/EXPENSESA_county?ID_in=A19657&date_From=01/01/2014&date_to=06/10/2018&OFFICE_in=ALL&AMOUNT_From=10&AMOUNT_to=100000&ZIP1=10000&ZIP2=99999&ORDERBY_IN=N).



greater illegal in kind political donation if the fair market rent was more than \$1,000 per month.

- If LCBA made no other political contributions during 2015, the difference between \$1,000 per month fair market rent for an apartment at 284 New York Avenue and the \$1,200 Sen. Hamilton paid during the year was an illegal in kind political contribution of \$5,800, and a greater illegal in kind political donation if the fair market rent was more than \$1,000 per month.
- If LCBA made no other political contributions during 2016, the difference between \$1,000 per month fair market rent for an apartment at 284 New York Avenue and the \$1,000 Sen. Hamilton paid during the year was an illegal in kind political contribution of \$6,000, and a greater illegal in kind political donation if the fair market rent was more than \$1,000 per month.
- If LCBA made no other political contributions during 2017, the difference between \$1,000 per month fair market rent for an apartment at 284 New York Avenue and the \$4,200 Sen. Hamilton paid during the year was an illegal in kind political contribution of \$2,800, and a greater illegal in kind political donation if the fair market rent was more than \$1,000 per month.
- The absence of reported payments by Sen. Hamilton for 284 New York Avenue in 2018 may be **due to the filing cycle, but LCBA's in kind political contribution to him for use of 284 New York Avenue is subject to the \$5,000 per year aggregate political contribution limit.**

#### Dereliction of Corporate Office Duty

- Directors and officers of not-for-profit corporations are required to discharge their duties in good faith and with the care an ordinarily prudent person would exercise in a like position. Not-for-profit Corporation Law § 717.
- **During any time that Sen. Hamilton is or was LCBA's president or other officer, his use of 284 New York Avenue for political campaigning would be a violation of his duty under Not-for-profit Corporation Law § 717 to operate 284 New York Avenue within the housing laws.**
- **During any time that Sen. Hamilton is or was LCBA's president or other officer and the Article 8-A mortgage on 284 New York Avenue was in force, his use of 284 New York Avenue for political campaigning would be a violation of his duty under Not-for-profit Corporation Law § 717 to comply with the terms of the mortgage.**

- **If during his term as LCBA’s president or other officer LCBA failed to file a Form 990 or other report whose absence caused the IRS to revoke LCBA’s tax exemption, Sen. Hamilton violated his duty under Not-for-profit Corporation Law § 717 to operate LCBA prudently.**
- **If during his term as LCBA’s president or other officer LCBA failed to file an annual registration with HPD, Sen. Hamilton violated his duty under Not-for-profit Corporation Law § 717 to operate LCBA prudently.**

### Illegal Related Party Transactions

- Not-for-profit corporations must have board or an authorized committee approval for any transaction **with a “related party.”** Not-for-profit Corporation Law § 715.
- Under the Not-for-profit Corporation Law a **“related party” is any director, officer, or key person** of the not-for-profit corporation. Not-for-profit Corporation Law § 102(a)(23).
- **If during his tenure as LCBA’s president or other officer Sen. Hamilton used 284 New York Avenue without the approval of LCBA’s board or committee authorized to approve transactions with related parties, Sen. Hamilton violated Not-for-profit Corporation Law § 715.**
- Related parties are not permitted to participate in the deliberations or voting relating to related party transaction in which he nor she has an interest. Not-for-profit Corporation Law § 715(h).
- **If during his tenure as LCBA’s president or other officer Sen. Hamilton participated in the deliberations concerning approval of his use of 284 New York Avenue, Sen. Hamilton violated Not-for-profit Corporation Law § 715.**

### Open Questions

- **What are LCBA’s income and expenses?**
- Is LCBA paying appropriate taxes?
- Did LCBA pay Sen. Hamilton compensation in excess of \$1,000 in 2014, 2015 or 2016?
- If LCBA paid Sen. Hamilton compensation was the compensation appropriate for services he provided?
- If LCBA reimbursed Sen. Hamilton for expenses, were the expenses reimbursed reasonable?

Thank you for your prompt attention to this issue. If you have any questions, you can contact us at 212-691-6421.

Sincerely,

Susan Lerner, Esq.  
Executive Director