

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>th</sup> STREET, NW SUITE 420  
WASHINGTON, DC 20009  
(202) 671-0550**

**IN THE MATTER OF**

**Ward 1 Democrats  
Lillian Perdomo, Treasurer  
1820 Ingleside Terrace, NW  
Washington, DC 20009**

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**Date: January 9, 2012  
Docket No: 011 P-026**

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of the General Counsel following a determination by its Public Information and Records Management Division, that pursuant to D.C. Official Code §1-1102.06 (2001 Edition), Lillian Perdomo, Treasurer, Ward 1 Democrats failed to timely file, the Receipt and Expenditure Report (hereafter R&E Report) due on July 31, 2011 as required by D.C. Official Code §1-1102.06.

By Notice of Hearing, Statement of Violations and Order of Appearance dated September 23, 2011 OCF ordered Lillian Perdomo (hereinafter Respondent), to appear at a scheduled hearing on October 12, 2011 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

On October 4, 2011, Respondent filed the R&E Report that was due on July 31, 2011, and submitted an affidavit explaining the untimely filing. In the affidavit, Respondent testified that the report was not filed in a timely manner because the committee was unable to confirm monies that remained in an account.

Respondent requested assistance in resolving the financial discrepancy, and was referred to the auditing division.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent was treasurer for the political action committee, Ward 1 Democrats.
2. Respondent committee was required to file a July 31, 2011 R&E Report on or before August 1, 2011 in accordance with D.C. Official Code § 1-1102.06(a).

3. Respondent treasurer filed the R&E Report that was due on July 31, 2011 and a affidavit explaining the reason for the late Report on Tuesday October 5, 2011.
4. Respondent's explanation for failing to timely file the Report is credible in that Respondent failed to comply in a timely manner because of the Respondent's inability to resolve a discrepancy in the financial records.
5. Upon receiving notice that the committee was not in compliance with the law, and request to appear for a hearing before OCF, the Respondent immediately filed the outstanding R&E Report. The report and affidavit were filed approximately 8 days prior to the scheduled hearing.
6. Respondent committee is currently in compliance with the statute.
7. Respondent committee was also referred for assistance to the OCF Auditing Division to reconcile their accounting discrepancies.

### **Conclusions of Law**

**Based on the record provided by the OCF, I therefore conclude:**

1. Respondent PCC violated DC Official Code §1-1102.06(a).
2. The penalty established at DC Official Code §1-1103.05 (b)(3), 3 DCMR §§3711.2(f), 3711.3 and 3711.4 for failure to timely file the July 31, 2011 R&E Report required by DC Official Code 1-1102.06 is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with DC Official Code 1-1103.05(b) (3), the respondent PCC may be fined a maximum of \$2000.00 for failing to timely file the July 31, 2011 R&E Report.
4. For good cause shown pursuant to 3 DCMR 3711.6, the Director of the Office of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Leonard G. Muhammad  
Hearing Officer

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
William O. SanFord  
General Counsel

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the fine in this matter be hereby suspended.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cecily E. Collier-Montgomery  
Director

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order on Lillian Perdomo by regular mail, on \_\_\_\_\_.

**NOTICE**

Pursuant to 3 DCMR §3711.5, any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, 2000 Fourteenth Street, N.W., Suite 433 Washington, DC 20009.