

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS  
1015 HALF STREET SE, SUITE 775  
WASHINGTON, D.C. 20003  
Telephone: (202) 671-0547  
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<b>IN THE MATTER OF</b>	)	Date: October 19, 2018
	)	
Ward One Democrats	)	Docket No: 18P-015
Daniel Orlaskey, Treasurer	)	
2021 11 <sup>th</sup> Street NW	)	
Washington, DC 20011	)	

**ORDER**

**Statement of Case**

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Public Information and Records Management Division (“PIRM”) that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.09(b) (2015) and District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (March 2015, as amended), Daniel Orlaskey of the **Ward One Democrats political action committee** failed to timely file the August 10<sup>th</sup>, 2018 Report of Receipts and Expenditures (“R&E Report”), which was due by August 10, 2018, the OCF deadline.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 17, 2018, OCF ordered Daniel Orlaskey (“Respondent”), to appear at a scheduled hearing on September 6, 2018, and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2 and fined accordingly.

**Summary of Evidence**

On September 6, 2018, Respondent appeared at the scheduled hearing *pro se*. Laura McQueen, Legal Instruments Examiner and representative for the PIRM Division, appeared on behalf of OCF.

Respondent testified that he recently assumed the position of Treasurer in June 2018 as the Committee has been going through a transitional period for the past six months. The previous Chairperson and Treasurer both resigned last Spring. Respondent is a first-time Treasurer who plans to participate in the OCF Entrance Conference and Training in October 2018.

As a new Treasurer, Respondent assumed that R&E Reports were due every three months. Once he realized his error, he immediately filed the August 10<sup>th</sup> R&E Report. Respondent asserted that the Committee has no income and no planned fundraisers, only expenditures and bank fees. The Committee will continue its transition and plans to stay active.

Respondent filed the August 10<sup>th</sup> R&E Report on August 21, 2018, bringing the Committee into compliance with D.C. Official Code and the D.C. Municipal Regulations.

**Findings of Fact**

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

1. Respondent is the Treasurer for the Ward One Democrats political action committee.
2. By Notice of Hearing, Statement of Violations, and Order of Appearance dated August 17, 2018, OCF ordered Respondent to appear for a scheduled hearing on September 6, 2018.
3. On September 6, 2018, Respondent appeared at the scheduled hearing *pro se*.
4. Respondent testified that he is a first-time Treasurer who assumed that R&E Reports were due every three months. Once he realized his error, he immediately filed the August 10<sup>th</sup> R&E Report.
5. Respondent asserted that the Committee has no income and no planned fundraisers, only expenditures and bank fees. The Committee will continue its transition and plans to stay active.
6. Respondent filed the August 10<sup>th</sup> R&E Report on August 21, 2018.
7. The Committee is now in compliance with the D.C. Official Code and the D.C. Municipal Regulations.

**Conclusion of Law**

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

1. The Committee violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3403.2.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to file a Report of Receipts and Expenditures, as required by D.C. Official Code § 1-1163.09(b) is a fine of \$50.00 per day for each business day subsequent to the due date.
3. Under the given facts, the Committee may be fined a total of \$350.00, as the Report was filed seven business days past the August 10<sup>th</sup> filing deadline.
4. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent has provided a credible explanation for the Committee's failure to timely file the August 10<sup>th</sup> R&E Report in that Respondent is a first-time Treasurer who assumed that R&E Reports were due every three months and had not attended the OCF Entrance Conference and Training at the time of the filing.
6. Respondent's explanation for failure to timely file the August 10<sup>th</sup> R&E Report constitutes good cause for a suspension of a fine in this matter.

In the Matter of: Treasurer Daniel Orlaskey-Ward One Democrats

Docket No.: 18P-015

Page 3

Recommendation

In view of the foregoing and information included in the record, I HEREBY RECOMMEND that the Director suspend a fine in this matter.

October 19, 2018  
Date

Shaunda Fennell Cobbs  
Shaunda Fennell Cobbs  
Hearing Examiner

Concurrence

In view of the foregoing, I HEREBY CONCUR with the Recommendation.

October 19, 2018  
Date

William O. Sanford  
William O. Sanford  
General Counsel

ORDER OF THE DIRECTOR

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

10/19/18  
Date

Cecily E. Collier-Montgomery  
Cecily E. Collier-Montgomery  
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the **ORDER** has been served on Treasurer Daniel Orlaskey via regular and certified mail, at 2021 11<sup>th</sup> Street NW, Washington, DC 20011 on this 19<sup>th</sup> day of October, 2018.

A handwritten signature in black ink, appearing to be 'JTC', is written above a horizontal line.

Notice

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR §3709.13); or (2) obtain review of the Order by filing a request for a **hearing de novo** with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to §3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision or Order; provided that, the Respondent does not request a **hearing de novo** with the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: District of Columbia Treasurer. Send payment to the *Office of Campaign Finance, 1015 Half Street SE, Suite 775, Washington, DC 20003*