

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>th</sup> STREET, N.W., SUITE 433  
WASHINGTON, D.C. 20009  
Telephone: (202) 671-0547  
Fax: (202) 671-0658**

**IN THE MATTER OF**

Bertha G. Holliday  
49 T Street, NW  
Washington, DC 20001

)  
) Date: May 31, 2017  
)  
) Docket No: 17A-039  
)  
)  
)

**ORDER**

**Statement of the 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 that pursuant to Title 3 of the District of Columbia Municipal Regulations, 3 DCMR§ 3002.6 (March 2015), Bertha G. Holliday, failed to timely file the Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Community (ANC Summary Financial Statement) in the 2016 General Election, which was due on or before January 18, 2017, and failed to file by the OCF sanctioned filing dates of February 7, 2017 and March 17, 2017.

By Notice of Hearing, Statement of Violations and Order of Appearance dated April 4, 2017, ordered Bertha G. Holliday (Respondent) to appear at a scheduled hearing on April 25, 2017 and show cause why the Respondent should not be found in violation of 3 DCMR § 3002.6 (May 2015, as amended), and fined accordingly.

**Summary of Evidence**

On April 25, 2017, Respondent appeared pro se to answer to the above allegations. Mrs. Laura McQueen, Legal Instruments Examiner appeared on behalf of the Office of Campaign Finance (OCF). Mrs. McQueen testified that the Respondent failed to timely file the Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Community (ANC Summary Financial Statement) in the 2016 General Election, which was due on or before January 18, 2017, and failed to file by the OCF sanctioned filing dates of February 7, 2017 and March 17, 2017, in violation of 3 DCMR § 3002.6 (May 2015).

Respondent testified that she was aware she had to file the ANC Summary Financial Statement, but procrastinated in gathering the necessary paperwork she needed to complete the filing. As a result, Respondent missed the extended filing dates. However, upon receipt of the hearing notice, dated April 4, 2017, Respondent realized her error and took action to correct the noncompliance and filed the statement on April 8, 2017.

**Findings of Fact**

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

1. Respondent ran as a candidate for ANC Commissioner in the 2016 General Election.
2. Respondent was required to file an ANC Summary Financial Statement with OCF by the extended filing date of March 17, 2017.
3. Respondent failed to file the statement by the extended filing date of March 17, 2017.
4. Respondent provided an explanation for the untimely filing, in that Respondent procrastinated in gathering the necessary paperwork to complete the filing and missed the extended filing dates; however, upon notice Respondent took action to correct the noncompliance and filed the ANC Summary Financial Statement on April 8, 2017.
5. Respondent is now in compliance with the ANC Summary Financial Statement reporting and disclosure requirements.

**Conclusions of Law**

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

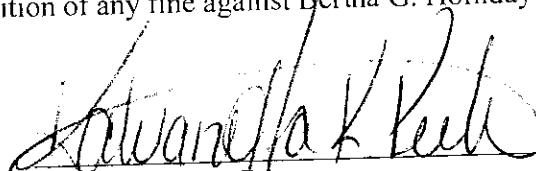
1. Respondent violated D.C. Official Code § 1-1163.03(a)(1)(A) (2015) and 3 DCMR § 3002.6 (May 2015).
2. 3 DCMR § 3711.2(s) establishes a fifty dollar (\$50) fine for failure to timely file an ANC Summary Financial Statement, as required under 3 DCMR § 3002.6.
3. 3 DCMR § 3711.1 maintains that a fine shall attach for each day of noncompliance; up to a maximum of \$750 equivalent to fifteen (15) days of noncompliance, pursuant to D.C. Official Code § 1-1163.35(a)(3).
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 was required to file an ANC Summary Financial Statement with OCF by the extended filing date of March 17, 2017.
6. Respondent failed to file the statement by the extended filing date of March 17, 2017.
7. Respondent provided an explanation for the untimely filing, in that Respondent procrastinated in gathering the necessary paperwork to complete the filing and missed the extended filing dates; however, upon notice Respondent took action to correct the noncompliance and filed the ANC Summary Financial Statement on April 8, 2017.
8. Respondent is now in compliance with the ANC Summary Financial Statement reporting and disclosure requirements.

**Recommendation**

In view of the foregoing and information included in the record, I HEREBY RECOMMEND that the Director SUSPEND the imposition of any fine against Bertha G. Holliday in this matter.

May 31, 2017

Date

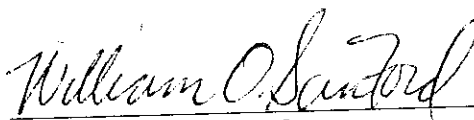
  
Kalvanetta K. Peete  
Hearing Officer

**Concurrence**

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

May 31, 2017

Date


  
William O. Sanford  
General Counsel

**ORDER OF THE DIRECTOR**

IT IS ORDERED that the imposition of any fine shall hereby be SUSPENDED against Bertha G. Holliday in this matter.

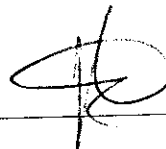
May 31, 2017

Date

  
Cecily E. Collier-Montgomery  
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the ORDER has been served on Bertha G. Holliday, via regular mail at 49 T Street, NW, Washington, DC 20001 on this 31st day of May, 2017.



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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, Frank D. Reeves Municipal Building, 2000 14<sup>th</sup> Street NW, Suite 433, Washington, DC 20009.*