

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

IN THE MATTER OF

**DC Chamber of Commerce
Ted Trabue, Treasurer
2810 Kanawha Street, NW
Washington, DC 20015**

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**DOCKET NO.: 012 P-029
Date: November 2, 2012**

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 The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform and Amendment Act (The Act), codified in DC Official Code 1-1163.09(b), Ted Trabue, treasurer, DC Chamber of Commerce political action committee failed to timely file, a Receipt and Expenditure Report (hereafter R&E) for August 10, 2012.

By Notice of Hearing, Statement of Violations and Order of Appearance dated Tuesday August 27, 2012 and a second notice sent via certified mail on Tuesday September 18, 2012, OCF ordered Ted Trabue (hereinafter Respondent), to appear at a scheduled hearings on Monday September 17, 2012 and on Thursday October 2, 2012, respectively, and show cause why he should not be found in violation of Title III of the Campaign Finance Act of 2011, and fined accordingly.

Summary of Evidence

On or about September 25, 2012 Respondent filed the R&E Report that was due on August 10, 2012, without submitting an affidavit explaining the untimely filing.

On or about October 4, 2012, OCF was put on written notice that the former chairperson Mr. Gilbert E. DeLorme resigned and Mr. David Julyan has assumed the position and duties of chairperson.

Findings of Fact

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

1. Respondent is the treasurer of the District of Columbia Chamber of Commerce political action committee.

2. Respondent committee was required to file the R&E Report due on August 10, 2012 in accordance with D.C. Official Code § 1-1163.09(b).
3. Respondent treasurer filed the August 10, 2012 R&E Report on September 25, 2012. This is twenty nine (29) business days past the due date.
4. Respondent committee did not file an sworn affidavit explaining the reason(s) for the untimely filing of the R&E Report.

Conclusions of Law

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

1. Respondent PAC violated DC Official Code §1-1163.09(b).
2. The penalty established at DC Official Code§1-1163.09, §1-1163.35, 3 DCMR §§3711.2(f), 3711.3 and 3711.4 for failure to timely file the August 10, 2012 R&E Report is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with DC Official Code 1-1163.35, the respondent PAC may be fined a maximum of \$1,450.00 for failing to timely file the August 10, 2012 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 impose a fine of One Thousand Four Hundred Fifty Dollars (\$1,450.00) of the fine in this matter.

Date

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 is hereby One Thousand Four Hundred Fifty Dollars (\$1,450.00).

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 Ted Trabue by regular mail, on _____.

NOTICE

Any party adversely affected by any order of the Director may obtain review of the order by filing, with the Board of Elections and Ethics, a request for a hearing *de novo*. Pursuant to 3 DCMR §3711.5, any fine imposed by the Director shall become effective on the 16th 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.