

**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** ) Date: February 17, 2017  
)  
DC Chamber of Commerce ) Docket No: 16P-030  
Treasurer Andrew J. Kline )  
10401 Democracy Lane )  
Potomac, MD 20854 )

**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 Treasurer, Andrew J. Kline of the DC Chamber of Commerce political action committee failed to timely file the **December 10<sup>th</sup> Report of Receipts and Expenditures** (“R&E report”), pursuant to the Campaign Finance Act of 2011, D.C. Official Code § 1-1163.09(b) (2012) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (August 2013), which was due by December 12, 2016.

**Summary of Evidence**

By Notices of Hearing, Statement of Violations and Order of Appearance dated December 22, 2016, and January 12, 2017 OCF ordered Respondent to appear at scheduled hearings on January 9, 2017 and January 30, 2017 and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) (2012) and fined accordingly for failing to file the December 10<sup>th</sup> Report of Receipts and Expenditures.

The Notice of Hearing dated December 22, 2016 was mailed to Respondent’s address of record via regular mail. The Second Notice of Hearing which was dated January 12, 2017 was mailed to Respondent’s address of record by both regular and certified mail.

Respondent has failed to file the December 10<sup>th</sup> R&E report and has failed to appear for both scheduled hearings. Respondent’s committee is not in compliance with the filing requirements set forth in D.C. Official Code section 1-1163.09(b).

**Findings of Fact**

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

1. Respondent is Treasurer for the DC Chamber of Commerce political action committee.
2. Respondent was required to file the December 10<sup>th</sup> Report by December 12, 2016.
3. By Notices of Hearing, Statement of Violations and Order of Appearance dated December 22, 2016, and January 12, 2017 OCF ordered Respondent to appear at scheduled hearings on January 9, 2017 and January 30, 2017 and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) (2012) and fined accordingly for failing to file the December 10<sup>th</sup> Report of Receipts and Expenditures.
4. The Notice of Hearing dated December 22, 2016 was mailed to Respondent's address of record via regular mail. The Second Notice of Hearing which was dated January 12, 2017 was mailed to Respondent's address of record by both regular and certified mail.
5. Respondent has failed to file the December 10th R&E report.
6. Respondent has failed to appear for both scheduled hearings.
7. Respondent's committee is not in compliance with the filing requirements set forth in D.C. Official Code section 1-1163.09(b).

**Conclusion of Law**

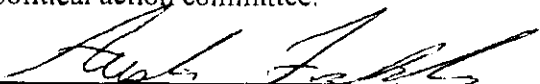
**Based upon the record provided by OCF, I therefore conclude:**

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 with OCF, 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 \$2,250.00
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 failed to provide an explanation constituting good cause for suspension of a fine.

**Recommendation**

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director impose a fine in this matter in the amount of \$2,250.00 against the DC Chamber of Commerce political action committee.

February 17, 2017  
Date

  
Austin Franklin  
Hearing Examiner

**Concurrence**

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

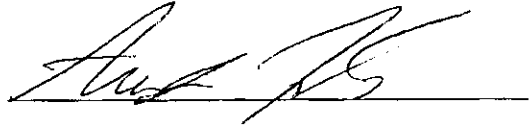
February 17, 2017  
Date

  
William O. Sanford  
General Counsel



**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a true copy of the **ORDER** has been served on Treasurer Andrew J. Kline, via regular and certified mail at 10401 Democracy Lane, Potomac, Maryland 20854 on this 17 day of February, 2017.

A handwritten signature in black ink, appearing to read "Andrew J. Kline", is written over 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, Frank D. Reeves Municipal Building, 2000 14<sup>th</sup> Street NW, Suite 433, Washington, DC 20009.*