

**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  
Fax: (202) 671-0658**

**IN THE MATTER OF**

Cmte. to Elect Khalid Pitts 2014  
Treasurer Khalid Pitts  
1434 S Street, NW  
Washington, D.C. 20009

) Date: October 5, 2018  
)  
) Docket No: 18C-044  
)  
)  
)  
)

**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, Khalid Pitts of the Cmte. to Elect Khalid Pitts 2014 principal campaign committee failed to timely file the **July 31<sup>st</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 the OCF sanctioned extended deadline of August 16, 2018.

**Summary of Evidence**

By Notices of Hearing, Statement of Violations and Order of Appearance dated August 30, 2018, and September 19, 2018, OCF ordered Respondent to appear at scheduled hearings on September 18, 2018, and October 3, 2018 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 July 31<sup>st</sup> R&E report with OCF by August 16, 2018.

The Notice of Hearing dated August 30, 2018 was mailed to Respondent’s address of record via regular mail. The Second Notice of Hearing which was dated September 19, 2018 was mailed to Respondent’s address of record by both regular and certified mail.

Respondent has failed to file the July 31<sup>st</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 Patterson for Ward 8 Principal Campaign committee.
2. Respondent was required to file the July 31<sup>st</sup> R&E report by August 16, 2018.
3. By Notices of Hearing, Statement of Violations and Order of Appearance dated August 30, 2018, and September 19, 2018, OCF ordered Respondent to appear at scheduled hearings on September 18, 2018, and October 3, 2018 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 July 31<sup>st</sup> R&E report with OCF by August 16, 2018.
4. The Notice of Hearing dated August 30, 2018 was mailed to Respondent's address of record via regular mail. The Second Notice of Hearing which was dated September 19, 2018 was mailed to Respondent's address of record by both regular and certified mail.
5. Respondent failed to appear for both scheduled informal hearings.
6. Respondent has failed to file the July 31<sup>st</sup> R&E report with OCF.
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**

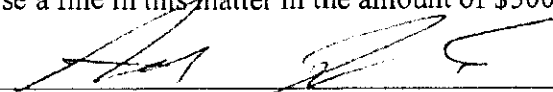
**Based upon the record provided by OCF, I therefore conclude:**

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 \$500.00
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 \$500.00.

October 5, 2018  
Date

  
\_\_\_\_\_  
Austin Franklin  
Hearing Examiner

**Concurrence**

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

October 5, 2018  
Date

  
\_\_\_\_\_  
William O. Sanford  
General Counsel

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ORDER OF THE DIRECTOR

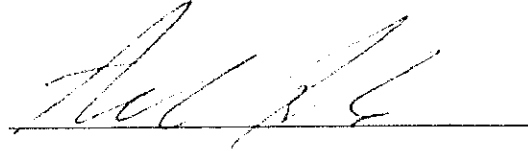
IT IS ORDERED that the fine in this matter is hereby imposed.

October 5, 2018  
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 Khalid Pitts, via regular and certified mail at 1434 S Street, NW Washington, D.C. 20009 on this 5<sup>th</sup> day of October, 2018.

A handwritten signature in black ink, appearing to be "A. C. Pitts", 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, 1015 Half Street SE, Suite 775, Washington, DC 20003*.