

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000-14<sup>th</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	)	DATE: January 27, 2012
	)	
The Honorable William E. Brown, Jr.	)	DOCKET NO.: 11A-006A
ANC 1A06	)	
1215 Lamont Street, NW	)	
Washington, DC 20010	)	

**ORDER**

This matter came before the Office of Campaign Finance (OCF) based upon respondent's motion for reconsideration of the Order of the Director issued on December 16, 2011. On December 16, 2011, the Director entered an Order in this matter which imposed a fine of \$2,000.00 for failure to timely file an ANC Summary Financial Statement on or before April 1, 2011. On January 20, 2012, the respondent contacted the Hearing Officer who granted an extension of time to provide a written explanation for the filing delinquency by January 25, 2012. On January 25, 2012, the respondent filed the required explanation.

**Summary of Evidence**

In the Motion, the respondent stated that he believed that he had submitted the required statement to OCF in January 2011. Respondent stated that in the spring of 2011, he suffered a traumatic, emotional event which adversely affected his life. Respondent further stated that he has a vague recollection of receiving OCF's Notice of Hearing in September 2011; but, at that time, his attention was diverted to another event resulting in substantial damage to his home. On December 23, 2011, the respondent appealed the decision in this matter, filed the required ANC Summary Financial Statement, and requested an opportunity to present an explanation for the filing delinquency.

**Findings of Fact**

Having reviewed the respondent's motion and the record herein, I find that:

1. Respondent was a candidate for ANC office during the November 2010 General Elections in the District of Columbia.
2. Respondent failed to timely file the required ANC Summary Financial Statement due on or before April 1, 2011.
3. Respondent filed the required ANC Summary Financial Statement on December 23, 2011.
4. On January 25, 2012, respondent filed the required explanation for the filing delinquency, which was deemed to be reasonable and credible.
5. Respondent is currently in compliance with the statute.

**Conclusions of Law**

1. Pursuant to the Order In the Matter of: William E. Brown, Jr., Docket No. 11A-006, a fine in the amount of \$2,000.00 was imposed upon respondent herein.
2. Respondent violated 3 DCMR Section 3002.5.
3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file an ANC Summary Financial Statement.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for the filing delinquency, citing a personal, traumatic event, constitutes good cause for suspension of the fine.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the fine in this matter.

\_\_\_\_\_  
**Date**

\_\_\_\_\_/s/\_\_\_\_\_  
**Jean Scott Diggs**  
**Senior Hearing Officer**

**Concurrence**

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_/s/\_\_\_\_\_  
**William O. SanFord**  
**General Counsel**

**ORDER OF THE DIRECTOR**

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_/s/\_\_\_\_\_  
**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order on the Honorable William E. Brown, Jr. by regular mail on January 27, 2012.

\_\_\_\_\_/s/\_\_\_\_\_

**NOTICE**

Pursuant to 3DCMR §3711.5 (March 2007), any fine imposed by the Director shall become effective on the 16<sup>th</sup> 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, Suite 420, 2000-14<sup>th</sup> Street, N.W., Washington, D.C. 20009.