

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

IN THE MATTER OF	}	DATE: July 28, 2006
	}	
Vincent Gray Constituent Services Fund	}	DOCKET NO: 06CSF-001
1350 W Street, SE	}	
Washington, D.C. 20020	}	
Thomas Gore, Treasurer	}	HEARING OFFICER: William O. SanFord

**ORDER**

**Statement of the Case**

This matter comes before the Office of Campaign Finance (OCF) upon an inquiry conducted by the Reports, Accounting and Audit Division of OCF, which determined that the Vincent Gray Constituent Services Fund, for which Thomas Gore serves as treasurer, failed to provide a timely response to a Request for Additional Information., pursuant to D.C. Official Code §1-1103.02(a) (1) (A) (2001 Edition).

By Notices of Hearings, Statements of Violations and Orders of Appearance dated July 5, 2006, and July 13, 2006, OCF ordered Thomas Gore (hereinafter respondent treasurer), to appear at scheduled hearings on July 13, 2006 and July 20, 2006, and show cause why the Vincent Gray Constituent Services Fund (hereinafter respondent fund) should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Code §§1-1101.01 et seq. (Act) and fined accordingly.

On July 20, 2006, the respondent treasurer appeared for a scheduled hearing. He was accompanied by Ms. Dawn Slonneger, Chief of Staff for Councilmember Vincent Gray. OCF was represented by Renee Coleman-Bunn, Supervisory Auditor.

**Summary of Evidence**

Ms. Coleman-Bunn alleged that respondent fund failed to timely file a response to a Statement of Findings concerning a Periodic Audit of the respondent funds April 1, 2006 filing. Ms. Coleman –Bunn additionally stated that the response was due on June 14, 2006 but was not received until July 7, 2006.

Ms Slonnegar stated that this was the first time the respondent fund has been audited and preparation and submission of the information requested required much more time than originally anticipated. Mr. Gore stated that he intended to request additional time to provide the information to OCF but inadvertently failed to do so. Mr. Gore additionally stated that he submitted the documents to OCF as expeditiously as possible after the information requested was collected. In conclusion, Ms. Coleman-Bunn stated that she has completed the audit and found that all outstanding issues regarding the respondent fund have been resolved.

### **Findings of Fact**

Having reviewed the allegations and OCF records, I find:

1. OCF issued respondent fund a Request for Additional Information (RFAI) on May 30, 2006, which respondent fund was required to respond to by June 14, 2006.
2. Respondent fund did not timely file a response to the RFAI.
3. OCF records indicate that the respondent fund filed a response to the RFAI on July 7, 2006.
4. The Supervisory Auditor has determined that the respondent fund has resolved all outstanding issues arising from the audit.
5. Respondent fund is currently in compliance with the statute.

### **Conclusions of Law**

Based upon the record and evidence, I therefore conclude:

1. Respondent fund violated D.C. Official Code Section 1-1103.02(a).
2. The penalty established at 3DCMR Sections 3711.2(cc) and 3711.4 for failure to timely file a response to a Request for Additional Information (RFAI) required by D.C. Official Code Section 1-1103.02(a) is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with 3DCMR Sections 3711.2(cc) and 3711.4, respondent fund may be fined a maximum of \$700.00 for failing to timely respond to an RFAI.
4. For good cause shown pursuant to 3DCMR Section 3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

5. Respondent fund's overall record of compliance with OCF filing requirements warrants favorable consideration.
6. Respondent fund is currently in compliance with the statute.

**Recommendation**

In view of the foregoing and information included in the case file, I hereby recommend that the Director impose a reduced fine of \$100.00 against the Vincent Gray Constituent Services Fund for failing to timely respond to a Request for Additional Information.

\_\_\_\_\_  
Date

\_\_\_\_\_  
William O. SanFord  
Hearing Officer and  
Acting General Counsel

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the fine of \$700.00 which could be imposed against the Gray Constituent Services Fund for failing to timely file a response to a Request for Additional Information is hereby reduced to \$100.00.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cecily E. Collier-Montgomery  
Director

This Order may be appealed to the Board of Elections and Ethics within 15 days from the date of issuance.

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing order.

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April Williams  
Clerk

NOTICE

Pursuant to 3 DCMR §3711.5 (1999), 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, NW, Washington, D.C. 20009.