

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 17, 2007
	}	
Committee to Elect Frank Wilds	}	DOCKET NO: 07C- 013
Edward Harrison, Treasurer	}	
5016 Eastern Avenue, NE	}	HEARING OFFICER: William O. SanFord
Washington, DC 20017	}	

ORDER

Statement of the Case

This matter comes before the Office of Campaign Finance (OCF) upon an inquiry conducted by the Office of Campaign Finance which determined that the Committee to Elect Frank Wilds for which Edward Harrison serves as treasurer failed to timely file on or before December 11, 2006, a December 10, 2006 Report of Receipts and Expenditures (December 10, 2006 Report), pursuant to D.C. Official Code §1-1102.06(a) (2001 Edition).

By Notice of Hearing, Statement of Violations and Order of Appearance dated February 2, 2007, OCF ordered Edward Harrison (hereinafter respondent treasurer) and Frank Wilds (hereinafter respondent) to appear at a scheduled hearing on February 15, 2007, and show cause why the Committee to Elect Frank Wilds (hereinafter respondent committee) 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. Official Code §§1-1101.01 et seq. (Act) and fined accordingly.

On February 12, 2007, respondent submitted a notarized written statement in lieu of appearing at a scheduled hearing.

Summary of Evidence

OCF alleged that the Committee to Elect Frank Wilds, failed to timely file the statutorily required December 10, 2006 Report by December 11, 2006. Respondent stated in his written submission that he failed to timely file a December 10, 2006 Report because he was on out of town travel for his employment during the period that the Report was due. Respondent also stated that he filed the report in question immediately after he returned to the area and consulted his treasurer.

Findings of Fact

Having reviewed the allegations and OCF records, I find:

1. Respondent committee was required to file a December 10, 2006 Report with OCF on or before December 11, 2006.
2. Respondent committee did not timely file a December 10, 2006 Report with OCF.
3. Respondent submitted a December 10, 2006 Report of Receipts and Expenditures to OCF on January 23, 2007.
4. Respondent has no prior history of filing delinquencies with OCF.
5. Respondent committee is currently in compliance.

Conclusion of Law

Based upon the record and evidence, I therefore conclude:

1. The respondent committee violated D.C. Official Code Section 1-1105.05(a).
2. The penalty established at 3DCMR §§ 3711.2(f) and 3711.4, for failure to timely file a December 10, 2006 Report required by D.C. Official Code § 1-1102.06(a) is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code § 1-1103.05(b) (3) and 3DCMR §§ 3711.2(f) and 3711.4, the respondent committee may be fined a maximum of \$2,000.00 for failing to timely file a December 10, 2006 Report.
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 record of compliance and submission of a December 10, 2006 Report provides good cause for suspension of the fine.

Recommendation

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

Date

**William O. SanFord
Hearing Officer**

Concurrence

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

Date

**Kathy S. Williams
General Counsel**

ORDER OF THE DIRECTOR

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

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.

NOTICE

Pursuant to 3 DCMR § 3711.5 (March 2007), 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, Suite 420, 2000 14th Street, NW, Washington, D.C. 20009.

SERVICE OF ORDER

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

April Williams

