

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
	}	
Ann Holiday	}	DOCKET NO: 07C- 030
6633 Piney Branch Road, NW	}	HEARING OFFICER: William O. SanFord
Washington, DC 20012	}	

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 Ann Holiday failed to timely file on or before April 30, 2007, an Exemption Report for total expenses under \$500 (\$500 Exemption Report), pursuant to D.C. Official Code §1-1102.09 (2001 Edition).

By Notice of Hearing, Statement of Violations and Order of Appearance dated June 25, 2007, OCF ordered Ann Holiday (hereinafter respondent) to appear at a scheduled hearing on July 5, 2007 and show cause why she 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 July 5, 2007, Wesley Williams, OCF Public Affairs Specialist, provided testimony on the record in lieu of a scheduled hearing.

Summary of Evidence

OCF has alleged that the respondent failed to timely file the statutorily required \$500 Exemption Report by April 30, 2007. Mr. Williams stated that during a telephone discussion on June 21, 2007, the respondent informed him that she was a first time candidate for elective office, in the District of Columbia, who was not familiar with the filing requirements. Mr. Williams also stated that the respondent filed the delinquent report immediately after their telephone discussion on June 21, 2007. Mr. Williams concluded that in view of the fact that she is currently in compliance and he recommends that no sanction be imposed against the respondent.

Findings of Fact

Having reviewed the allegations and OCF records, I find:

1. Respondent was required to file a \$500 Exemption Report with OCF on or before April 30, 2007.
2. Respondent did not timely file a \$500 Exemption Report with OCF.
3. Respondent filed a \$500 Exemption Report with OCF on June 21, 2007.
4. Respondent was a first time candidate for elective office in the District of Columbia with no prior history with OCF.

Conclusion of Law

Based upon the record and evidence, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1102.09.
2. The penalty established at 3DCMR §§ 3711.2(f) and 3711.4, for failure to timely file a \$500 Exemption Report required by D.C. Official Code §1-1102.09 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, Ann Holiday may be fined a maximum of \$1,800.00 for failing to timely file a \$500 Exemption 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 status as a first time office seeker in the District of Columbia, and her immediate compliance after being informed of the delinquency, provide 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 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.

IN THE MATTER OF: Ann Holiday

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

