

**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: July 16, 2008
	)	
ABC Metropolitan Washington PAC	)	DOCKET NO.: 08P-016
Henry Gilford, Treasurer	)	
1667 K Street, NW, Suite 650	)	
Washington, DC 20006	)	

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of the General Counsel following a determination by its Public Information and Records Management Division that the ABC Metropolitan Washington PAC (hereinafter respondent PAC) for whom Henry Gilford serves as treasurer, failed to timely file, on or before June 10, 2008, a June 10, 2008 Report of Receipts and Expenditures (hereinafter June 10, 2008 Report), as required by D.C. Official Code §1-1102.06(a) (2001 Edition).

By Notices of Hearings, Statements of Violations and Orders of Appearance dated June 24, 2008 and July 2, 2008, OCF ordered Henry Gilford (hereinafter respondent treasurer), to appear at scheduled hearings on July 2, 2008 and July 11, 2008 and show cause why the respondent PAC 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., and fined accordingly.

**Summary of Evidence**

On both July 2, 2008 and July 11, 2008, neither the respondent treasurer nor a representative for the respondent PAC appeared at the scheduled hearing.

OCF has alleged that the respondent PAC failed to timely file the statutorily required June 10, 2008 Report on or before June 10, 2008. To date, OCF has not received a response to the allegation or the outstanding report from anyone affiliated with the respondent PAC.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent PAC was required to file a June 10, 2008 Report on or before June 10, 2008 in accordance with D.C. Official Code §1-1102.06(a).
2. Respondent PAC did not timely file a June 10, 2008 Report with OCF.
3. Neither the respondent treasurer nor a representative for the respondent PAC provided a response to the allegations.
4. Respondent PAC to date has not filed a June 10, 2008 Report with OCF.

**Conclusions of Law**

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

1. Respondent PAC violated D.C. Official Code §1-1102.06(a).
2. The penalty established at D.C. Official Code §1-1103.05(b) (3), 3DCMR §§3711.2(f), 3711.3 and 3711.4 for failure to timely file a June 10, 2008 Report required by D.C. Official Code § 1-1102.06 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), the respondent PAC may be fined a maximum of \$1,250.00 for failing to timely file a June 10, 2008 Report.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of the Office of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent PAC's failure to respond to the allegation and continuing failure to file a June 10, 2008 Report provides no basis upon which the fine may be modified.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$1,250.00 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 a fine of \$1,250.00 is imposed against the respondent PAC in this matter.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cecily 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 on Henry Gilford, by regular mail, on July 16, 2008.

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**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.