

BEFORE 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 22, 2009
)	
The Honorable Angel S. Alston)	DOCKET No.: 09A-022A
ANC 5A03)	
4704 – 6 th Place, NE)	
Washington, DC 20017)	

ORDER

This matter came before the Office of Campaign Finance (OCF) based upon respondent's motion for reconsideration (Motion) of the Order of the Director issued on July 7, 2009. On July 7, 2009, the Director entered an Order in this matter which imposed a fine of \$2,000.00 for failure to timely file a Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC Summary Financial Statement) on or before February 6, 2009 for the 2008 General Elections. On June 19, 2009, the respondent filed the Motion.

Summary of Evidence

In the Motion, respondent stated that she faxed the required report to OCF beginning in November 2008, and on numerous, subsequent occasions. Respondent stated that she presumed the matter to have been resolved, but for receipt of OCF's Order of the Director, which imposed a fine. Respondent referenced a telephone message left for OCF's Hearing Officer, and the Hearing Officer's return call, to which she responded via another fax of the report to OCF. Respondent further stated that approximately three (3) weeks ago she encountered of an official of OCF and two (2) employees of BOEE and inquired concerning receipt of the ANC report, to which an affirmative response was received. On June 19, 2009, respondent filed the ANC Summary Financial Statement with OCF.

Findings of Fact

1. Respondent is an ANC Commissioner elected in the 2008 General Elections.
2. Respondent was required to file an ANC Summary Financial Statement with OCF on or before February 6, 2009.

3. Respondent filed the required report on July 15, 2009.
IN THE MATTER OF: Karen Lee Perry

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4. Respondent is in compliance with the regulation.

Conclusions of Law

1. Pursuant to the Order, In the Matter of: Karen Lee Perry, a fine in the amount of \$2,000.00 was imposed upon respondent herein.
2. In accordance with 3DCMR §3711.5 (March 2007), respondent appealed this matter.
3. Respondent violated 3 DCMR §3002.5, as amended.
4. Respondent has no history of prior filing delinquencies.
5. For good cause shown, pursuant to 3DCMR §3711.6, the Director of Campaign Finance may modify, rescind, dismiss or suspend any fine.
6. Respondent's explanation for the filing delinquency, in that she believed that she timely mailed the required report to OCF; and that she experienced personal trauma during the filing period, constitute good cause to rescind the fine.

Recommendation

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

Date

**Jean Scott Diggs
Hearing Officer**

Concurrence

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

Date

William O. SanFord

Acting General Counsel

ORDER OF THE DIRECTOR

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

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order on Karen Lee Perry by regular mail on July 22, 2009.

NOTICE

Pursuant to 3DCMR §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, N.W., Washington, D.C. 20009.