

**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: September 21, 2010
)	
Friends of Tarek Stevens)	DOCKET NO.: 10C-048
Tarek Stevens, Treasurer)	
4707 – 4 th Street, NW)	
Washington, DC 20011)	

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 Friends of Tarek Stevens (hereinafter respondent PCC), Tarek Stevens, Treasurer, failed to timely file an August 10, 2010 Report of Receipts and Expenditures as required by D.C. Official Code §1-1102.06(a)(2001 Edition), on or before August 10, 2010.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated August 25, 2010 and September 7, 2010, OCF ordered Tarek Stevens (hereinafter respondent treasurer), to appear at scheduled hearings on September 7, 2010 and September 20, 2010 and show cause why the respondent PCC 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

OCF alleges that the respondent PCC failed to timely file the statutorily required August 10, 2010 Report of Receipts and Expenditures on or before August 10, 2010. Respondent treasurer failed to appear at the scheduled hearings referenced herein, or to submit an affidavit in explanation of the failure to timely file the required report.

Findings of Fact

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

1. Respondent PCC registered with OCF on May 21, 2010.
2. Respondent PCC was required to file an August 10, 2010 Report of Receipts and Expenditures on or before August 10, 2010 in accordance with D.C. Official Code §1-1102.06(a).
3. Respondent PCC to date has failed to file the required August 10, 2010 Report of Receipts and Expenditures with OCF.
4. Respondent PCC has no history of a prior filing delinquency.
5. Respondent PCC to date has failed to provide an explanation for failing to timely file the required August 10, 2010 Report of Receipts and Expenditures.
6. Respondent PCC is not in compliance with the statute.

Conclusions of Law

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

1. Respondent PCC 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 an August 10, 2010 Report of Receipts and Expenditures 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 PCC may be fined a maximum of \$1,350.00 for failing to timely file an August 10, 2010 Report of Receipts and Expenditures.
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 treasurer has failed to provide a basis for a finding of good cause for suspension of the fine in this matter.

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Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$1,350.00 in this matter.

Date

_____/s/_____
Jean Scott Diggs
Senior Hearing Officer

Concurrence

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

Date

_____/s/_____
William O. SanFord
Acting General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that a fine of \$1,350.00 is hereby imposed in this matter.

Date

_____/s/_____
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 Tarek Stevens, Treasurer, Friends of Tarek Stevens, by regular and certified mail on September 21, 2010.

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.