

**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: September 15, 2010
	)	
DC Latino Political Action Committee	)	DOCKET NO.: 10P-030
Oralia Puente, Treasurer	)	
1712 Euclid Street, NW	)	
Washington, DC 20009	)	

**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 DC Latino Political Action Committee (hereinafter respondent PAC), Oralia Puente, Treasurer, failed to timely file a June 10, 2010 Report of Receipts and Expenditures as required by D.C. Official Code §1-1102.06(a)(2001 Edition), on or before June 10, 2010.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated July 26, 2010 and August 5, 2010, OCF ordered Oralia Puente (hereinafter respondent treasurer), to appear at scheduled hearings on August 4, 2010 and August 18, 2010 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 August 18, 2010, the respondent treasurer appeared at the rescheduled hearing and testified that the PAC's treasurer of record resigned in the spring of 2010, and that the position had been vacant since that time. Ms. Puente stated that PAC official elections occur annually in November, thereby leaving a void in certain positions until such elections are held. She stated that the June 10, 2010 report was delinquent as a result of the vacancy in the position of treasurer. Respondent treasurer further stated that she contacted OCF to advise of the PAC's financial activity, and that there was no active treasurer. Notwithstanding, respondent treasurer filed an Amended Statement of Organization, Statement of Acceptance of Position of Treasurer, Statement of Acceptance of Position of Chairperson, and Statement of Withdrawal of Position of Chairperson on

**IN THE MATTER OF: DC Latino Political Action Committee**  
**Page 2**

behalf of the PAC at the conclusion of the hearing. On July 27, 2010, the required June 10, 2010 Report of Receipts and Expenditures was filed with OCF.

**Findings of Fact**

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

1. Respondent PAC was required to file a June 10, 2010 Report of Receipts and Expenditures on or before June 10, 2010 in accordance with D.C. Official Code §1-1102.06(a).
2. Respondent PAC filed the required report with OCF on July 27, 2010.
3. Respondent PAC has a history of a prior filing delinquency.
4. Respondent PAC provided a credible explanation for the filing delinquency as due to a vacancy in the position of treasurer for the PAC; notwithstanding, the report was filed as soon as a treasurer was identified.
5. Respondent PAC is currently in compliance with the statute.

**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, 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 PAC may be fined a maximum of \$1,550.00 for failing to timely file a June 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.

**IN THE MATTER OF: DC Latino Political Action Committee**  
**Page 3**

5. Respondent PAC's explanation for the filing delinquency, in that it had no treasurer in place to assume responsibility for filing; notwithstanding, it filed the required report as soon as practicable, constitutes good cause for suspension of the fine in this matter.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of a fine 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 is hereby suspended 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 Oralia Puente, Treasurer, DC Latino Political Action Committee by regular mail on September 15, 2010.

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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.