

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 )  
 )  
The Honorable William Brown, Jr. ) DATE: December 16, 2011  
ANC 1A06 ) DOCKET No.: 11A-006  
1215 Lamont Street, NW )  
Washington, DC 20010 )

**ORDER**

This matter came before the Office of Campaign Finance (OCF), Office of the General Counsel, following a determination by its Public Information and Records Management Division, that pursuant to 3DCMR §3002.5 (March 2007), William Brown, Jr., ANC 1A06, failed to timely file, a Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC Summary Financial Statement) for the 2010 General Election, on or before January 31, 2011, as required by 3DCMR §3002.5, and also failed to file on or before the OCF sanctioned extended filing deadline of April 1, 2011.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated September 7, 2011 and September 19, 2011, OCF ordered William Brown, Jr. (hereinafter respondent), to appear at scheduled hearings on September 15, 2011 and September 28, 2011, and show cause why he should not be found in violation of Title 3, District of Columbia Municipal Regulations, §3002.5, and fined accordingly.

**Summary of Evidence**

OCF alleges that the respondent failed to timely file the required Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC Summary Financial Statement) for the 2010 General Election, on or before April 1, 2011. Respondent failed to appear at the scheduled hearings referenced herein, or to submit an affidavit in explanation of the failure to file the required ANC Summary Financial Statement.

**Findings of Fact**

1. Respondent ran as a candidate for ANC Commissioner of SMD 1A06 in the 2010 General Elections.
2. Respondent was required to file an ANC Summary Financial Statement with OCF on or before April 1, 2011.
3. Respondent to date has not filed the required ANC Summary Financial Statement with OCF.
4. Respondent to date has not provided an explanation for failing to timely file the required ANC Summary Financial Statement with OCF.
5. Respondent is not in compliance with applicable regulation(s).

**Conclusions of Law**

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

1. Respondent violated 3DCMR §3002.5.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §3711.2(ee) for failure to timely file an ANC Summary Financial Statement, as required by 3DCMR §3002.5, is a fine of \$30.00 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 may be fined a maximum of \$2,000.00 for failing to timely file an ANC Summary Financial Statement.
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 has failed to provide a basis for a finding of good cause sufficient to recommend suspension of the fine.

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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 \$2,000.00 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**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that a fine of \$2,000.00 be hereby imposed in this matter.

\_\_\_\_\_  
**Date**

\_\_\_\_\_/s/\_\_\_\_\_  
**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order on the Honorable William Brown by certified and regular mail on December 16, 2011.

\_\_\_\_\_/s/\_\_\_\_\_

**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.