

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>th</sup> STREET, N.W., SUITE 433  
WASHINGTON, D.C. 20009  
Telephone: (202) 671-0547  
Fax: (202) 671-0658**

<b>IN THE MATTER OF</b>	)	Date: December 12, 2013
	)	
Carrie Tyus-Brooks, Treasurer	)	Docket No: 13R-027
Committee to Elect Diallo Brooks	)	
1800 Upshur Street, NE	)	
Washington, DC 20018	)	

**ORDER**

**Statement of Case**

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Reports Analysis and Audit Division (“RAAD”) that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.03(a)(1)(A) (2012) and the District of Columbia Municipal Regulations 3 DCMR § 3403.2 (August 2013), Carrie Tyus-Brooks, Treasurer for the Committee to Elect Diallo Brooks failed to respond to a Request for Additional Information dated October 16, 2013 from the Audit by October 31, 2013.

By Notice of Hearing, Statement of Violations and Order of Appearance dated November 5, 2013 and November 19, 2013, OCF ordered Carrie Tyus-Brooks (“Respondent”), to appear at a scheduled hearing on November 19, 2013 and December 4, 2013 (respectively) and show cause why she should not be found in violation of the D.C. Official Code § 1-1163.03(a)(1)(A) and 3 DCMR § 3403.2 and fined accordingly.

**Summary of Evidence**

A review of the Committee’s October 10, 2013 Report revealed that on Schedule B-5—Other Expenditures—Respondent reported an expenditure to “Project Give Back” on October 10, 2013 in the amount of \$301.57, as a “Donation to Charities”. Therefore, Audit issued a Request for Additional Information, dated October 16, 2013, instructing Respondent to submit a more detailed explanation and documentation (invoice/contract/receipt), including a copy of the cancelled check, to substantiate the expenditure of \$301.57. The requested documentation and explanation were due to Audit by October 31, 2013. Respondent failed to comply by the due date.

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As a result, the matter was referred to the Office of General Counsel (“OGC”) for noncompliance. By Notice of Hearing, Statement of Violations and Order of Appearance, Respondent was served, via regular mail and certified mail, on November 5, 2013 and November 19, 2013 (respectively). The notices served by regular mail and certified mail were not returned to the Office of Campaign Finance.

On December 2, 2013, Respondent submitted the required documentation and explanation to Audit via email. Accordingly, Respondent and Committee are currently in compliance.

**Findings of Fact**

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

1. Respondent is the treasurer for the Committee to Elect Diallo Brooks.
2. Respondent was required to file additional information per a Request for Additional Information dated October 16, 2013 from Audit by October 31, 2013.
3. Respondent failed to respond to the Request for Additional Information by the required due date.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated November 5, 2013 and November 19, 2013, OCF ordered Respondent to appear for a scheduled hearing on November 19, 2013 and December 4, 2013.
5. On December 2, 2013, Respondent submitted the required documentation and explanation to Audit via email.
6. Respondent and Committee are currently in compliance.

**Conclusion of Law**

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

1. Respondent violated D.C. Official Code § 1-1163.03(a)(1)(A) and 3 DCMR § 3403.2.
2. The penalty established at 3 DCMR § 3711.2(q) for failure to file additional information requested by the OCF, is a fine of \$50.00 per day of noncompliance.
3. In accordance with D.C. Official Code § 1-1163.35(a)(3), the Respondent/Committee may be fined a maximum of \$1,050 for failing to timely file additional information requested by the OCF.

4. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. On December 2, 2013, Respondent submitted the required documentation and explanation to Audit via email.
6. Respondent and Committee are currently in compliance.

**Recommendation**

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director suspend any fine in this matter.

December 12, 2013  
\_\_\_\_\_  
**Date**

\_\_\_\_\_  
/s/  
\_\_\_\_\_  
**Kalvanetta K. Peete**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, **I HEREBY CONCUR** with the Recommendation.

December 12, 2013  
\_\_\_\_\_  
**Date**

\_\_\_\_\_  
/s/  
\_\_\_\_\_  
**William O. SanFord**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the imposition of any fine is hereby suspended in this matter.

December 12, 2013  
\_\_\_\_\_  
**Date**

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

**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a true copy of the **ORDER** has been served on Carrie Tyus-Brooks, Treasurer, via regular at 1800 Upshur Street, NE, Washington DC 20018 on this 12th day of December, 2013.

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

**Notice**

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR § 3709.13); or (2) obtain review of the Order by filing a request for a **hearing de novo** with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to § 3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision or Order; provided that, the Respondent does not request a **hearing de novo**, the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: *District of Columbia Treasurer*. Send payment to the *Office of Campaign Finance, Frank D. Reeves Municipal Building, 2000 14<sup>th</sup> Street NW, Suite 433, Washington, DC 20009*.