

**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  
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<b>IN THE MATTER OF</b>	)	Date: March 24, 2014
	)	
Christian Carter for Mayor 2014	)	Docket No: 14C-001
Treasurer Noah Harmony Shoatz	)	
425 Massachusetts Ave., NW, Apt. 216	)	
Washington, D.C. 20001	)	

**ORDER**

**Statement of Case**

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 (“PIRM”) that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.09(b) (2012) and District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (August 2013), Treasurer, Noah Harmony Shoatz of the Christian Carter for Mayor 2014 principal campaign committee failed to timely file the January 31<sup>st</sup> Report of Receipts and Expenditures (“R&E report”), which was due by January 31, 2014.

By Notice of Hearing, Statement of Violations and Order of Appearance dated February 24, 2014, OCF ordered Noah Harmony Shoatz (“Respondent”), to appear at a scheduled hearing on March 10, 2014, and show cause why she should not be found in violation of D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2 and fined accordingly.

**Summary of Evidence**

At the request of former Mayoral Candidate Christian Carter, the hearing scheduled for March 10, 2014 was rescheduled for March 14, 2014. On March 14, 2014, Christian Carter appeared at the scheduled hearing *pro se*. Legal Instruments Examiner, Mrs. Laura McQueen appeared on behalf of the OCF. Mrs. McQueen testified that Respondent failed to file the January 31<sup>st</sup> R&E report in accordance with D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2.

Mr. Carter testified that Respondent no longer served as Treasurer of the Christian Carter for Mayor 2014 principal campaign committee. Mr. Carter further testified that he would be responsible for all future filings. Moreover, Mr. Carter testified that he had been unable to file the January 31<sup>st</sup> R&E report due to exigent circumstances involving an ongoing family emergency.

On March 14, 2014, at the conclusion of the hearing, Mr. Carter filed the January 31<sup>st</sup> R&E report along with a termination report for the Christian Carter for Mayor 2014 principal campaign committee. The termination report is currently under review. Mr. Carter’s submission of a termination report relieves the Committee of its obligation to file future R&E reports with OCF.

**Findings of Fact**

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

1. Respondent is no longer the Treasurer for the Christian Carter for Mayor 2014 principal campaign committee.
2. The Committee was required to file the January 31<sup>st</sup> Report of Receipts and Expenditures, which was due on January 31, 2014.
3. The Committee failed to timely file the required R&E report by the January 31, 2014 deadline.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated February 24, 2014, OCF ordered Respondent to appear for a scheduled hearing on March 10, 2014.
5. The hearing scheduled for March 10, 2014 was rescheduled for March 14, 2014.
6. Former Mayoral Candidate Christian Carter appeared before OCF at the March 14, 2014 hearing.
7. Mr. Carter testified that he was unable to timely file the January 31<sup>st</sup> R&E report due to an ongoing medical emergency.
8. Mr. Carter submitted the January 31<sup>st</sup> R&E report along with a termination report for the committee at the conclusion of the hearing.
9. The Committee is no longer required to file further R&E reports after having terminated the principal campaign committee.
10. The Committee is currently in compliance with applicable regulation(s).

**Conclusion of Law**

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

1. The Committee violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3403.2.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to file a Report of Receipts and Expenditures with OCF, as required by D.C. Official Code § 1-1163.09(b), is a fine of \$50.00 per day for each business day subsequent to the due date.
3. Under the given facts, the Committee may be fined a total of \$1,400.00.
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. Mr. Carter provided an explanation for the Committee's failure to timely file the January 31<sup>st</sup> R&E report, in that Respondent is no longer the Treasurer for the Committee and that Mr. Carter was unable to timely file the January 31<sup>st</sup> R&E report due to an ongoing medical emergency.
6. At the conclusion of the hearing, Mr. Carter filed the January 31<sup>st</sup> R&E report along with a termination report with OCF, thereby terminating the Christian Carter for Mayor 2014 principal campaign committee.
7. Mr. Carter's explanation for failure to timely file the required R&E report constitutes good cause for suspension of a fine.

**Recommendation**

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

March 24, 2014  
Date

Austin Franklin  
Austin Franklin  
Hearing Examiner

**Concurrence**

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

March 24, 2014  
Date

William O. Sanford  
William O. Sanford  
General Counsel

**ORDER OF THE DIRECTOR**

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

March 24, 2014  
Date

Cecily E. Collier-Montgomery  
Cecily E. Collier-Montgomery  
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the **ORDER** has been served on Treasurer Noah Harmony Shoatz, via regular mail at 2509 Branch Avenue, SE, Washington, D.C. 20020 and by electronic mail at [ccarter@cc4dc.com](mailto:ccarter@cc4dc.com) on this 24<sup>th</sup> day of March, 2014.

A handwritten signature in black ink, appearing to be 'Christian Carter', is written over a horizontal line.

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** with 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*.