

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

IN THE MATTER OF

Christian Carter for Mayor 2014
Christian Carter, Treasurer
2509 Branch Ave, SE
Washington, DC 20020

)
) Date: May 22, 2014
)
) Docket No: 14C-015
)
)

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Public Information & Records Management (“PIRM”) Division 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), CHRISTIAN CARTER, Treasurer for the Christian Carter for Mayor 2014 principal campaign committee (“Committee”), failed to timely file the March 10th Report of Receipts and Expenditures, which was due on Monday, March 10, 2014.

By Notice of Hearing, Statement of Violations and Order of Appearance dated March 25, 2014 and April 4, 2014, OCF ordered Christian Carter, Treasurer (“Respondent”) to appear at a scheduled hearing on April 3, 2014 and April 15, 2014 and show cause why the Committee should not be found in violation of the D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2, and fined accordingly.

Summary of Evidence

On March 25, 2014, OCF sent via regular mail a Notice of Hearing, Statement of Violations and Order of Appearance, ordering Respondent to appear at a scheduled hearing on April 3, 2014. Respondent failed to appear. On April 4, 2014, OCF sent another Notice of Hearing, Statement of Violations and Order of Appearance via regular mail and certified mail, ordering Respondent to appear for a rescheduled hearing on April 15, 2014. Again, Respondent did not appear.

IN THE MATTER OF: Christian Carter for Mayor 2014

Docket No.: 14C-015

Page 2

Respondent filed the required report on March 25, 2014, ten (10) days subsequent to the March 10, 2014 due date. Currently, the Committee is in compliance with the March 10th Report filing; however, the Committee has a history of delinquent filings. The civil penalty attached to the violation for failure to timely file a Report of Receipts and Expenditures is fifty (\$50) dollars per day, for each day of noncompliance (excluding weekends and holidays).

Findings of Fact

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

1. Respondent is the treasurer of the Christian Carter for Mayor 2014 Principal Campaign Committee.
2. Respondent was required to file the March 10th Report of Receipts & Expenditures by Monday, March 10, 2014.
3. Respondent failed to timely file the March 10th Report by the required due date
4. On March 25, 2014, OCF sent via regular mail a Notice of Hearing, Statement of Violations and Order of Appearance, ordering Respondent to appear at a scheduled hearing on April 3, 2014. Respondent did not appear.
5. On April 4, 2014, OCF sent another Notice of Hearing, Statement of Violations and Order of Appearance via regular mail and certified mail, ordering Respondent to appear on April 15, 2014. Again Respondent did not appear.
6. Respondent filed the required report on March 25, 2014, ten (10) days subsequent to the March 10, 2014 due date.
7. The committee has a history of delinquent filings; however, the committee is currently in compliance with the March 10th Report filing.

Conclusions of Law

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

1. Respondent violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2. Respondent failed to timely file the March 10th Report of Receipts and Expenditures by March 10, 2014.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to timely file a Report of Receipts and Expenditures, as required by D.C. Official Code § 1-1163.09(b), is a fine of fifty (\$50) dollars per day for each business day subsequent to the due date. Respondent filed the required report on March 25, 2014, ten (10) days subsequent to the March 10, 2014 due date

3. In accordance with D.C. Official Code § 1-1163.35(a)(3), the alleged violator may be fined up to a maximum of \$2000 for each violation. Respondent may be fined a maximum of \$500 for failure to timely file the March 10th Report.
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. Respondent failed to appear for the first hearing scheduled April 3, 2014, and failed to appear at the second hearing scheduled on April 15, 2014. Furthermore, the committee has a history of delinquent filings; however, the committee is currently in compliance with the March 10th Report filing.

Recommendation

In view of the foregoing and information included in the record, I **HEREBY RECOMMEND** that the Director impose a fine of \$500 in this matter.

May 22, 2014
Date

Kalvanetta K. Beete
Kalvanetta K. Beete
Hearing Officer

Concurrence

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

May 22, 2014
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

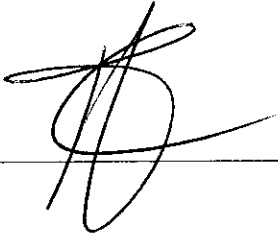
IT IS ORDERED that a fine of \$500 is hereby imposed in this matter.

May 23, 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 Christian Carter, via regular mail and certified mail at 2509 Branch Ave, SE, Washington, D.C. 20020 on this 22nd day of May, 2014.



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 (16th) 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 14th Street NW, Suite 433, Washington, DC 20009.