

Respondent asserts that she made several attempts to recover the computer files, but was unsuccessful in her attempts. Ultimately, Respondent was able to recreate the financial data required to complete the June 10th filing. The report was filed on July 10, 2014. The committee is currently in compliance and does not have a history of filing delinquencies.

Findings of Fact

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

1. Respondent is the treasurer of the Anderson for DC DNCW Principal Campaign Committee.
2. Respondent was required to file the June 10th Report of Receipts & Expenditures by the required filing date of Tuesday, June 10, 2014.
3. Respondent failed to file the June 10th Report by the required due date.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated July 9, 2014 and August 4, 2014, OCF ordered Respondent to appear at a scheduled hearing on July 23, 2014 and August 19, 2014.
5. Respondent provided a credible explanation for the untimely filing, in that Respondent had to re-create the financial data required to complete the filing because she could not retrieve the information from her laptop due to a computer virus.
6. Respondent filed the June 10th Report on July 10, 2014.
7. The committee is currently in compliance and does not have a history of filing delinquencies.

Conclusions of Law

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

1. Respondent violated D.C. Official Code § 1-1163.09(a)(1)(b) and 3 DCMR § 3017.2.
2. 3 DCMR § 3711.1 provides that each allegation shall constitute a separate violation and a fine shall attach for each day of non-compliance for each violation.
3. 3 DCMR § 3711.2(f) establishes a fifty dollar (\$50) fine for failure to timely file a Report of Receipts and Expenditures, up to a maximum of \$950.00, pursuant to D.C. Official Code § 1-1163.35(3).
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. Respondent provided a credible explanation for the untimely filing, in that Respondent had to re-create the financial data required to complete the filing because she could not retrieve the information from her laptop due to a computer virus.
6. Respondent filed the June 10th Report on July 10, 2014.
7. The committee is currently in compliance and does not have a history of filing delinquencies.
8. Respondent has provided good cause for a recommendation of a suspended fine in this matter.

Recommendation

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

August 27, 2014
Date

Kalvanetta K. Peete
Kalvanetta K. Peete
Hearing Officer

Concurrence

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

August 27, 2014
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the imposition of any fine shall be **SUSPENDED** in this matter.

August 27, 2014
Date

Cecil E. Collier-Montgomery
Cecil E. Collier-Montgomery
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the **ORDER** has been served on Acquetta Anderson, Treasurer, via regular mail at 7247 15th Place, NW, Washington DC 20012 on this 27th day of August, 2014.

A handwritten signature in black ink, appearing to be 'AB', 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 (16th) 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 14th Street NW, Suite 433, Washington, DC 20009.*