

**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)

Committee to Elect Pranav Badhwar)
Pranav Badhwar, Treasurer)
511 3rd Street, SE)
Washington, DC 20003)

Date: January 13, 2015

Docket No: 14C-082

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 and Records Management Division (“PIRM”) that pursuant to the Campaign Finance Act of 2011 (2012), District of Columbia Official Code § 1-1163.09(a)(1) and (b) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2, **PRANAV BADHWAR**, Treasurer of the Committee to Elect Pranav Badhwar Principal Campaign Committee (“committee”), failed to timely file the 8 Day Pre-General Report of Receipts and Expenditures, which was due on Monday, October 27, 2014.

By Notice of Hearing, Statement of Violations and Order of Appearance dated November 17, 2014, OCF ordered treasurer Pranav Badhwar (“Respondent”) to appear at a scheduled hearing on December 2, 2014 and show cause why the committee should not be found in violation of the D.C. Official Code § 1-1163.09(a)(1) and (b) and 3 DCMR § 3017.2, and fined accordingly.

Summary of Evidence

Respondent filed the 8 Day Pre-General Report on November 22, 2014, prior to the scheduled hearing on December 2, 2014. For that reason, Respondent was given the opportunity to submit a written, notarized Statement of Explanation for the untimely filing, in lieu of appearance at the hearing on December 2, 2014. Respondent accepted the opportunity and provided a written explanation on November 29, 2014 for the untimely filing. In the statement, Respondent explained that he had some misconceptions about reporting expense receipts. Consequently, Respondent was required to make specific adjustments to the committee’s October 10th Report. Preoccupied with the task of filing amended October 10th Reports on October 23, 2014, and again on November 20, 2014, Respondent carelessly missed the 8 Day Pre-General filing date.

However, upon notice Respondent took immediate action and filed the 8 Day Pre-General Report on November 22, 2014. To date, the committee is in compliance with its filing obligations 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 Committee to Elect Pranav Badhwar Principal Campaign Committee.
2. The committee was required to the 8 Day Pre-General Report on October 27, 2014.
3. Respondent failed to timely file the 8 Day Pre-General Report by the required due date.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated November 17, 2014, Respondent was ordered to appear for a schedule hearing on December 2, 2014.
5. Respondent filed the 8 Day Pre-General Report on November 22, 2014.
6. Respondent provided a credible explanation for the untimely filing, in that Respondent inadvertently missed the filing date because he was preoccupied with making subsequent adjustments to the committee's October 10th Report; however upon notice, Respondent took immediate action to correct the noncompliance.
7. The committee is in compliance with its filing obligations 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) and (b) and 3 DCMR § 3017.2.
2. 3 DCMR § 3711.7 provides that fines imposed for failure to file an 8 Day Pre-Election report shall be mandatory, unless written extension for filing the report is granted by the Director.
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 \$900.00, 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 failed to timely file the 8 Day Pre-General Report by October 27, 2014.
6. By Notice of Hearing, Statement of Violations and Order of Appearance dated November 17, 2014, Respondent was ordered to appear for a schedule hearing on December 2, 2014.
7. Respondent filed the 8 Day Pre-General Report on November 22, 2014.
8. Respondent provided a credible explanation for the untimely filing, in that Respondent inadvertently missed the filing date because he was preoccupied with making subsequent adjustments to the committee's October 10th Report; however upon notice, Respondent took immediate action to correct the noncompliance.
9. The committee is in compliance with its filing obligations and does not have a history of filing delinquencies.

Recommendation

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

January 13, 2015
Date

Kalvanetta K. Peete
Kalvanetta K. Peete
Hearing Officer

Concurrence

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

January 13, 2015
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

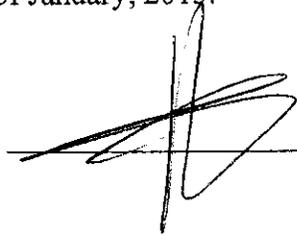
IT IS ORDERED that the imposition of any fine is **HEREBY SUSPENDED** in this matter.

January 13, 2015
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 Pranav Badhwar, Treasurer of the Committee to Elect Pranav Badhwar, via regular mail at 511 3rd Street, SE, Washington, DC 20003 on this 13th day of January, 2015.

A handwritten signature in black ink, consisting of several overlapping loops and a vertical stroke, positioned above 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** 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.