

**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
(202) 671-0547**

IN THE MATTER OF)	DATE: June 22, 2015
)	
The Honorable Barbara Clark)	DOCKET No.: 15A-015A
Candidate, ANC 8A02)	
1620 Ridge Place, SE)	
Washington, DC 20020)	

ORDER

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, that pursuant to 3DCMR §3002.6 (March 2015), Barbara Clark, Candidate, ANC 8A02, failed to timely file, a Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC Summary Financial Statement) for the 2014 General Election, on or before March 16, 2015, the OCF sanctioned extended filing deadline.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated April 17, 2015 and April 30, 2015, OCF ordered Barbara Clark (hereinafter respondent), to appear at scheduled hearings on April 29, 2015 and May 12, 2015, and show cause why she should not be found in violation of Title 3, District of Columbia Municipal Regulations, §3002.6, and fined accordingly.

Summary of Evidence

An Order of the Director issued in this matter on June 12, 2015, resulting in the imposition of a fine of \$2,000.00 for failure to file the required ANC Summary Financial Statement. Further, pursuant to this Order, the respondent was granted an extension of time to file the required report within five (5) days of issuance of the Order or Wednesday, June 17, 2015. On June 16, 2015, the respondent electronically filed the outstanding report, whereupon the recommendation to impose the fine is rescinded.

Findings of Fact

1. Respondent ran as a candidate for ANC Commissioner of SMD 8A02 in the 2014 General Election.
2. On June, 12, 2015, pursuant to an Order of the Director issued on same date, the respondent was granted an extension of time to file the required the ANC Summary Financial Statement with OCF on or before June 17, 2015.
3. On June 16, 2015, the respondent filed the required financial report.
4. Respondent is currently in compliance with applicable regulation(s).

Conclusions of Law

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

1. Respondent violated 3DCMR §3002.6.
2. The penalty established at 3DCMR §3711.2(s) for failure to timely file an ANC Summary Financial Statement, as required by 3DCMR §3002.6, is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code §1-1163.35(a)(1), the respondent may be fined \$2,000.00 for failing to timely file an ANC Summary Financial Statement.
4. For good cause shown pursuant to 3DCMR §3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent has filed the required ANC Summary Financial Statement, thereby demonstrating good cause to rescind the fine.

In the Matter of: The Honorable Barbara Clark

Docket No.: 15A-015A

Page 3

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director rescind the fine of \$2,000.00 imposed in this matter.

June 22 2015
Date

Jean Scott Diggs
Jean Scott Diggs
Senior Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

June 22, 2015
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine of \$2,000.00 is hereby rescinded in this matter.

June 22 2015
Date



Cecily E. Collier-Montgomery
Director

CERTIFICATE OF SERVICE

This is to certify that I have served a true copy of the foregoing Order on The Honorable Barbara Clark by regular mail at 1620 Ridge Place, SE, Washington, DC 20020 and by electronic mail at pmbclark@yahoo.com on June 22, 2015.



NOTICE

Any party adversely affected by any Order of the Director may: (1) file a Motion for Reconsideration (Motion) with OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at hearing (3DCMR §3709.13); or (2) obtain review of the Order by filing, a request for a **hearing de novo** with the Board of Elections, within (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to 3 DCMR §3711.2 shall become effective on the 16th day following the issuance of a decision and/or Order; provided that, the Respondent does not request a **hearing de novo**, pursuant to §3709.11. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make a payment by check or money order payable to the District of Columbia Treasurer. Send payment to the *Office of Campaign Finance*, Frank D. Reeves Municipal Building, 2000 14th Street NW, Suite 433, Washington, D.C. 20009.