

**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  
Fax: (202) 671-0658**

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| <b>IN THE MATTER OF</b>             | ) | Date: June 16, 2015 |
|                                     | ) |                     |
| Milton Bell, Treasurer/Candidate    | ) |                     |
| Bell for Ward 8                     | ) |                     |
| 3221 8 <sup>th</sup> Street, SE #11 | ) | Docket No.: 15C-039 |
| Washington, DC 20032                | ) |                     |

**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) (2015) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (January 2015), Milton Bell, Treasurer and Candidate for Bell for Ward 8 principal campaign committee, failed to file the 8 Day Pre-Special Election Report of Receipts and Expenditures (“8 Day Pre-Special Election R&E report”), which was due on or before April 20, 2015.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated May 1, 2015 and May 21, 2015, the OCF ordered Milton Bell (“Respondent”) to appear for scheduled hearings on May 20, 2015 and June 10, 2015 and show cause why he should not be found in violation of the Campaign Finance Act of 2011 and 3 DCMR § 3017.2 and fined accordingly.

**Summary of Evidence**

The OCF submitted Hearing Notices to Respondent on May 1, 2015 and May 21, 2015 to appear for hearings scheduled for May 20, 2015 and June 10, 2015. The Hearing Notice dated May 1, 2015 was submitted by regular and electronic mail to Respondent’s address on record. The Hearing Notice dated May 21, 2015 was submitted by regular, certified, and electronic mail to Respondent’s address on record.

On May 26, 2015, the OCF received the certified mailing receipt of the May 21, 2015 Hearing Notice. The certified mailed receipt was signed by Respondent on May 23, 2015. Therefore, Respondent had adequate notice of the second hearing scheduled for June 10, 2015.

Respondent failed to appear for both hearings. Respondent has not contacted the OCF regarding the 8 Day Pre-Special Election R&E report which was due on April 20, 2015 nor has Respondent provided an explanation for the delinquent filing. Furthermore, Respondent has a prior history of delinquent filings. To date, Respondent has failed to file the 8 Day Pre-Special Election R&E report and is not in compliance with this filing.

**Findings of Fact**

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

1. Respondent Milton Bell is the Treasurer and Candidate for Bell for Ward 8 principal campaign committee.
2. Respondent was required to file the 8 Day Pre-Special Election R&E report on or before April 20, 2015.
3. Respondent failed to file the 8 Day Pre-Special Election R&E report on or before April 20, 2015.
4. By Notices of Hearing, Statements of Violations and Orders of Appearance dated May 1, 2015 and May 21, 2015, the OCF ordered Respondent to appear for scheduled hearings on May 20, 2015 and June 10, 2015.
5. The May 1, 2015 Hearing Notice was submitted by regular and electronic mail.
6. The May 21, 2015 Hearing Notice was submitted by regular, certified, and electronic mail.
7. On May 26, 2015, the OCF received the certified mail receipt signed by Respondent on May 23, 2015.
8. Respondent had adequate notice of the scheduled hearings.
9. Respondent failed to appear for both scheduled hearings.
10. To date, Respondent has failed to file the 8 Day Pre-Special Election R&E report.
11. The 8 Day Pre-Special Election R&E report is currently forty (40) days late.
12. Respondent failed to provide an explanation for the delinquent filing.
13. Respondent has a prior history of delinquent filings.
14. Respondent is not in compliance with the 8 Day Pre-Special Election R&E report.

**Conclusions of Law**

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

15. Respondent violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2.
16. 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, up to \$4,000 for the first offense and not more than \$10,000 for the second and each subsequent offense. DC Official Code § 1-1163.35(a)(2)(A) (2015).
17. To date, Respondent's 8 Day Pre-Special Election R&E report is currently forty (40) days late.
18. Respondent may be fined a maximum fine of \$2,000.00 for failing to file a R&E report with OCF.
19. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

**Recommendation**

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director imposed a \$2,000.00 fine against Respondent Milton Bell, Treasurer and Candidate.

June 16, 2015  
Date

Lesley Brown  
Lesley Brown  
Hearing Officer

**Concurrence**

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

June 16, 2015  
Date

William O. Sanford  
William O. Sanford  
General Counsel

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that a \$2,000.00 fine is imposed against Respondent Milton Bell, Treasurer and Candidate.

6/16/15  
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 Milton Bell, Treasurer/Candidate, via regular and certified mail at 3221 8<sup>th</sup> Street, SE, #11, Washington, DC 20032 and via electronic mail at [miltonbell@gmail.com](mailto:miltonbell@gmail.com) on this 16<sup>th</sup> day of June 2015.

JB

**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*.