

**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: December 30, 2015
	)	
Treasurer Trayon White	)	Docket No: 15C-084
Trayon White for Ward 8 2015	)	
1109 Wahler Pl., SE	)	
Washington, D.C. 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) (2012) and District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (August 2013), Treasurer, Trayon White of the Trayon White for Ward 8 2015 principal campaign committee failed to timely file the October 10<sup>th</sup> Report of Receipts and Expenditures (“R&E report”), which was due by October 13, 2015, the OCF sanctioned deadline.

By Notice of Hearing, Statement of Violations and Order of Appearance dated November 10, 2015, OCF ordered Trayon White (“Respondent”), to appear at a scheduled hearing on November 23, 2015, and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2 and fined accordingly.

**Summary of Evidence**

On November 23, 2015, Respondent appeared at the scheduled hearing *pro se*. Legal Instruments Examiner, Mrs. Laura McQueen appeared on behalf of the OCF. Mrs. McQueen testified that Respondent failed to file the October 10<sup>th</sup> R&E report, which was due on October 13, 2015 in accordance with D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2.

It is noted that the Notice of Hearing sent to Respondent erroneously referenced Respondent’s prior principal campaign committee, *Committee to Re-Elect Trayon White*. The allegations in case 15C-084 only pertain to the *Trayon White for Ward 8* principal campaign committee. Respondent testified that he was under the belief that he had successfully terminated the principal campaign committee and therefore was no longer obligated to file R&E Reports with OCF. Respondent was advised during the hearing that he was correct in his belief that his previous principal campaign committee, *Committee to Re-Elect Trayon White* is currently pending termination. However, Respondent was advised that he was required to file R&E reports for his most recent committee, the *Trayon White for Ward 8* principal campaign committee. Respondent testified that he incorrectly believed that his most recent committee was also pending termination.

On November 23, 2015, at the conclusion of the hearing, Respondent filed the October 10<sup>th</sup> R&E report for the *Trayon White for Ward 8* principal campaign committee. The Committee is currently in compliance with the D.C. Official code.

**Findings of Fact**

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

1. Respondent is the Treasurer for the Trayon White for Ward 8 principal campaign committee.
2. Respondent was required to file the October 10<sup>th</sup> Report of Receipts and Expenditures, which was due on October 13, 2015.
3. Respondent failed to timely file the required R&E report by the October 13, 2015 deadline.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated November 10, 2015, OCF ordered Respondent to appear for a scheduled hearing on November 23, 2015.
5. Respondent appeared before OCF at the November 23, 2015 hearing.
6. Respondent testified that he was under the belief that he had successfully terminated the principal campaign committee and therefore was no longer obligated to file R&E Reports with OCF.
7. Respondent was advised during the hearing that he was correct in his belief that his previous principal campaign committee, *Committee to Re-Elect Trayon White* is currently pending termination.
8. Respondent was advised that he was required to file R&E reports for his most recent committee, the *Trayon White for Ward 8* principal campaign committee.
9. On November 23, 2015, at the conclusion of the hearing, Respondent filed the October 10<sup>th</sup> R&E report for the *Trayon White for Ward 8* principal campaign committee.
10. The Committee is currently in compliance with the D.C. Official code.

Conclusion of Law

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

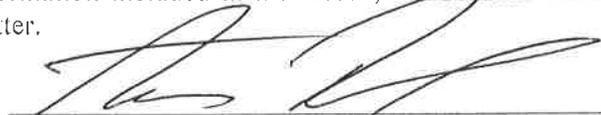
1. Respondent violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3403.2.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to file a Report of Receipts and Expenditures with OCF, as required by D.C. Official Code § 1-1163.09(b), is a fine of \$50.00 per day for each business day subsequent to the due date.
3. Under the given facts, Respondent may be fined a total of \$1,400.00.
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 an explanation for failure to timely file the October 10<sup>th</sup> R&E report, in that Respondent was under the belief that he had successfully terminated the committee referenced in the Notice of Hearing (*Committee to Re-Elect Trayon White*). Respondent was advised that he had in fact terminated the previous committee but had not terminated the *Trayon White for Ward 8* principal campaign committee and was therefore required to file the October 10<sup>th</sup> R&E report.
6. On November 23, 2015, at the conclusion of the hearing, Respondent filed the October 10<sup>th</sup> R&E report for the *Trayon White for Ward 8* principal campaign committee.
7. Respondent's explanation for failure to timely file the required R&E report constitutes good cause for suspension of a fine.

In the Matter of: Treasurer Trayon White –Trayon White for Ward 8  
Docket No.: 15C-084  
Page 4

Recommendation

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

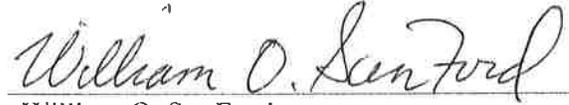
December 30, 2015  
Date

  
Austin Franklin  
Hearing Examiner

Concurrence

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

December 30, 2015  
Date

  
William O. Sanford  
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine in this matter is hereby suspended.

December 30, 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 Treasurer Trayon White, via regular mail at 1109 Wahler Pl., SE, Washington, D.C. 20032 and by electronic mail at [trayonwhite2011@gmail.com](mailto:trayonwhite2011@gmail.com) on this 30<sup>th</sup> day of December, 2015.

A handwritten signature in black ink, appearing to be 'B. J.', 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 (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.