

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000-14<sup>th</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550**

<b>IN THE MATTER OF</b>	)	DATE: November 20, 2009
	)	
Sina Baktash	)	DOCKET NO.: F09-021
Supvy Social Worker	)	
Child & Family Services Agency	)	
2300 Pimmit Dr. #108W	)	
Falls Church, VA 22043	)	

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of the General Counsel following a determination by its Public Information and Records Management Division, that pursuant to D.C. Official Code §1-1106.02 (2001 Edition), Sina Baktash, Supervisory Social Worker, Child and Family Services Agency, failed to timely file, a Financial Disclosure Statement for calendar year 2008, on or before May 15, 2009, as required by D.C. Official Code §1-1106.02, and also failed to file on or before the OCF sanctioned extended filing deadline of June 20, 2008.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 13, 2009, OCF ordered Sina Baktash (hereinafter Respondent), to appear at a scheduled hearing on August 31, 2009, and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

On August 18, 2009, Respondent filed an FDS for calendar year 2008. On August 20, 2009, Respondent filed an affidavit stating that he was unaware of the requirement for him to file an FDS statement because he was not a supervisor for over 10 months during the calendar year for which the filing was required. Respondent further averred that upon being advised of his noncompliance, Respondent took action to correct his noncompliance in advance of his hearing date.

**Findings of Fact**

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

1. Respondent was a Supervisory Social Worker, Child and Family Services Agency.
2. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2008, on or before May 15, 2009.
3. Respondent filed the required Financial Disclosure Statement on August 18, 2009.
4. Respondent provided a credible explanation for the filing delinquency in that Respondent was unaware of the requirement for him to file an FDS statement because he was not a supervisor for over 10 months during the calendar year for which the filing was required.; and, upon being advised, Respondent took action to correct his noncompliance in advance of his hearing date.
5. Respondent is currently in compliance with the statute.

**Conclusions of Law**

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

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3 DCMR §§3711.2(aa), 3711.2 and 3711.4 (March 2007, as amended) for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 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 §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3 DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

5. Respondent's explanation for failing to timely file is credible in that Respondent was unaware of the requirement for him to file an FDS statement because he was not a supervisor for over 10 months during the calendar year for which the filing was required.; upon being advised, Respondent took action to correct his noncompliance in advance of his hearing date.
6. It is noted that Respondent's FDS submission for calendar year 2007 was untimely.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter. However, Respondent is advised that future untimely submission of FDS statements will result in a penalty to the full extent allowed by the law.

\_\_\_\_\_ 11/20/09 \_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Dexter U. Nutall**  
**Hearing Officer**

**Concurrence**

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

\_\_\_\_\_ 11/20/09 \_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Kathy S. Williams**  
**General Counsel**

**ORDER OF THE DIRECTOR**

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

\_\_\_\_\_ 11/20/09 \_\_\_\_\_

**Date**

\_\_\_\_\_  
**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order on Sina Baktash, by regular mail, on November 20, 2009.

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**NOTICE**

Pursuant to 3DCMR §3711.5, any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000 Fourteenth Street, N.W., Washington, D.C. 20009.