

**DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS**

**The D.C. Office of,  
Campaign Finance**

**Petitioner,**

**v.**

**Vannie Taylor**

**Respondent.**

**Administrative Hearing  
Docket No. 01-016**

**MEMORANDUM OPINION AND ORDER**

This matter came before the Board on Wednesday, March 7, 2001 at 10:30a.m. pursuant to the submission of a Petition by the Office of Campaign Finance (hereinafter "OCF") for Enforcement of its August 9, 2000 Order ("Order") imposing a fine of five hundred (\$500.00) dollars against Vannie Taylor, Chairperson, Alcoholic Beverage Control Board. The fine was imposed as a result of the Respondent's failure to timely file a Financial Disclosure Statement ("FDS") by the due date required by D.C. Code § 1-1462(a), but was reduced to two hundred fifty (\$250.00) at the hearing since Ms. Taylor did submit her FDS form prior to the Board Meeting.

The Respondent served as a Chairperson with the Alcoholic Beverage Control Board during calendar year 1999. D.C. CODE § 1-1462(a) requires each public official—including members of certain boards and commissions and excepted service employees, paid at a rate of GS-13 or above, to file an FDS by May 15<sup>th</sup> of each year. See D.C. CODE

§ 1-1462(a), (d). Accordingly, the Respondent was required to file such Statement by May 15, 2000. The Respondent failed to do so.

By Notice of Hearings, Statements of Violations and Orders of Appearance dated July 18, 2000, the Office of Campaign Finance ordered the Respondent to appear at a hearings scheduled on July 26, 2000, 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. CODE § 1-1401 et seq. ("the Act") and fined accordingly. The Respondent failed to appear at either of these hearings.

The penalty established at 3 DCMR § 3711.2(y) for failure to file the FDS as required by D.C. Code § 1-1462(a) is a fine of \$30.00 per day for each business day subsequent to the due date for each violation. On August 9, 2000, the Director of OCF issued the Order imposing a fine of \$500.00 against the Respondent for failure to file the FDS by the due date in violation of D.C. Code § 1-1462(a). This Order became effective on August 31, 2000, in the absence of a request for review of the penalty by the Respondent to the Board, pursuant to 3 DCMR § 3711.5.<sup>1</sup> Payment of the fine was due no later than September 14, 2000, pursuant to 3 DCMR § 3711.7.<sup>2</sup> As of January 26, 2001, the Respondent had failed to pay the fine imposed by the Order of the Director issued August 9, 2000.

On February 1, 2001, OCF transmitted a Petition for Enforcement of its Order to the Office of the General Counsel for the Board. The General Counsel held a pre-

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<sup>1</sup> 3 D.C.M.R. § 3711.5 provides that "[a]ny fine imposed by the Director under § 3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision and order; Provided that the respondent does not request a hearing under § 3709.12."

<sup>2</sup> 3 D.C.M.R. § 3711.7 provides that "[f]ines imposed under [Chapter 37, "Investigations and Hearings"] shall be paid within ten (10) days of the effective date."

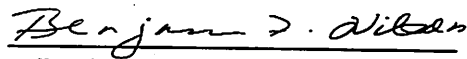
hearing conference in the matter on Tuesday, February 27, 2001. Despite being served with notice of this conference by regular, first-class mail on Friday, February 16, 2001, the Respondent failed to appear. A hearing in this matter was held before the Board on Wednesday, March 7, 2001. Despite being served with notice of this conference by regular, first-class mail on Friday, February 16, 2001, the Respondent again failed to appear; however, he did submit his FDS in the interim.

D.C. CODE § 1-1435 provides that "[i]f the person against whom a civil penalty is assessed fails to pay the penalty, the Board shall file a petition for the enforcement of its order assessing the penalty in the Superior Court of the District of Columbia." OCF has shown that the reduced fine of \$250.00 imposed against the Respondent was wholly justified.

Accordingly, it is this 19<sup>th</sup> day of March 2001,

**ORDERED** that the Order of the Director of be enforced and that a Petition for the Enforcement of Order be filed in Superior Court forthwith.

March 19, 2001

  
Benjamin Wilson  
Chairman, Board of Elections  
and Ethics