

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

Karen Settles,  
Complainant,

v.

Martha Kent,  
Respondent.

Administrative Hearing  
No. 10-020

Re: Challenge to Nominating  
Martha Kent,  
Advisory Neighborhood Commissioner  
Single Member District 7A05

**MEMORANDUM OPINION AND ORDER**

**Introduction**

This matter came before the District of Columbia Board of Elections and Ethics (“the Board”) on September 30, 2010. It is a challenge to the nominating petition of Martha Kent (“Kent”) as a candidate for the office of Advisory Neighborhood Commissioner, (ANC) Single Member District 7A05 filed by Karen Settles (“Settles”) pursuant to D.C. CODE § 1-1001.08(o)(1) (2006). Board member Charles R. Lowery, Jr. presided over the hearing. The Respondent appeared pro se, but the Complainant was unable to appear due to a scheduling conflict with a return from an out of town trip, and the Board accordingly proceeded ex parte. The Complainant did arrive shortly after the Board adjourned the matter and apologized for her tardiness.

**Background**

On September 3, 2010, Kent submitted a Nominating Petition for the office of ANC 7A05 with thirty-three (33) signatures. On September 6, 2010 the petition was

posted for inspection, pursuant to D.C. CODE §1-1001.08(o)(1)(2006), for a full 10-day challenge period.<sup>1</sup>

On September 15, 2010, Settles filed a challenge to the petition in which she challenged seventeen (17) of the thirty-three (33) signatures. Each signature was challenged on a specific ground or grounds as required by the Board's regulations. Specifically, Hooker challenged signatures on the following grounds: 1) pursuant to 3 D.C.M.R. §1607.05 (b), some signatures were invalid because signers of the petition were not registered to vote at the address listed on the petition; and 2) she questioned the authenticity of the remaining signatures challenged.

The Registrar of Voters' ("Registrar") review of the challenges referencing the Municipal Regulations concluded that eight (8) of the challenges to Kent's nominating petition were valid – leaving the candidate with twenty-five (25) signatures. The minimum requirement of signatures for this office is twenty-five (25), pursuant to D.C. Code §1-309.05(b)(1)(b) (2006). Accordingly, the Registrar concluded that the Candidate secured enough signatures on her nominating petition for ballot access.

Since Settles gave no additional testimony, the Board accepts the Registrar's review of the challenges and upon that basis finds that Ms. Kent does have the requisite number of signatures for ballot access.

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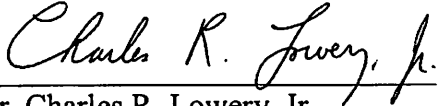
<sup>1</sup> D.C. CODE § 1-1001.08(o)(1) (2006) states in relevant part:

The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatures thereto if the original or facsimile thereof has been posted in a suitable public place for a 10-day period beginning on the third day after the filing deadline for nominating petitions for the office. Any registered qualified elector may within the 10-day period challenge the validity of any petition by written statement signed by the challenger and filed with the Board and specifying concisely the alleged defects in the petition.

In view of the evidence presented, the Board finds that the challenge is insufficient to remove the candidate's name from the ballot. Therefore, the Board denies the challenge as specified herein.

**ORDERED** that candidate Martha Kent is granted access to appear on the ballot in the November 2, 2010 General Election for the Office of Advisory Neighborhood Commissioner Single Member District 7A05.

October 1, 2010  
Date

  
Mr. Charles R. Lowery, Jr.  
Board Member,  
Board of Elections and Ethics