

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

Lia Veenendaal-Selck,
Complainant,

v.

Erica Anderson,
Respondent.

Administrative Hearing
No. 10-021

Re: Challenge to Nominating
Erica Anderson,
Advisory Neighborhood Commissioner
Single Member District 6A08

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 Erica Anderson (“Anderson”) as a candidate for the office of Advisory Neighborhood Commissioner, (ANC) Single Member District 6A08 filed by Lia Veenendaal-Selck (“Veenendaal-Selck”) pursuant to D.C. CODE § 1-1001.08(o)(1) (2006). Board member Charles R. Lowery, Jr. presided over the hearing. The Complainant appeared pro se, but the Respondent did not appear, and the Board accordingly proceeded ex parte.

Background

On September 3, 2010, Anderson submitted a Nominating Petition for the office of ANC 6A08 with twenty-eight (28) 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.¹

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

On September 15, 2010, Veenendaal-Selck filed a challenge to the petition in which she challenged thirteen (13) of the twenty-eight (28) signatures. As required by the Board's regulations, Challenger Veenendaal-Selck alleged the signatures were defective because: the signer was not registered to vote at address listed on petition at time signed (3 D.C.M.R. § 1607.5(b)); the signer is not duly registered in the single-member district from which the candidate seeks election at the time the petition is signed (3 D.C.M.R. § 1607.5 (f)); and the signer is not a duly registered voter (3 D.C.M.R. § 1607.5(c)).

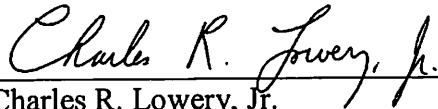
The Registrar of Voters' ("Registrar") review of the challenges referencing the Municipal Regulations concluded that eleven (11) of the challenges to Anderson's nominating petition were valid – leaving the candidate with seventeen (17) signatures. The minimum requirement of signatures for this office is twenty-five (25), pursuant to D.C. Code §1-309.05(b)(1)(b) (2006). Accordingly, the Registrar concluded that the Candidate had not secured enough signatures on his nominating petition for ballot access.

Since Veenendaal-Selck gave no additional testimony and Anderson was not present, the Board accepts the Registrar's review of the challenges and upon that basis finds that Ms. Anderson does not have the requisite number of signatures for ballot access.

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.

Based on the Board's findings and conclusions it is hereby **ORDERED** that Erica Anderson be **DENIED** ballot access in the November 2, 2010 General Election for the office of Advisory Neighborhood Commissioner, Single Member District 6A08.

October 1, 2010



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