

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 FOURTEENTH STREET, N.W., SUITE 433  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF:

The Honorable Yvette M. Alexander  
Councilmember - Ward 7  
The Council of the District of Columbia

Date: August 2, 2011

Docket No.: FI-2011-106

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**ORDER**

**I. Introduction**

This matter arises from a complaint filed by Geraldine Washington, resident of Ward 7, alleging that Councilmember Yvette M. Alexander, Councilmember – Ward 7, Council of the District of Columbia, may have violated the District of Columbia’s conflict of interest statute, D.C. Official Code §§ 1-1106.01 et seq., and/or Chapter 30 of Title 3 of the District of Columbia Municipal Regulations (3 DCMR) by [inappropriate] use of her constituent services fund; use of her official position to benefit her landlord; inappropriate use of government employees during government business hours; and failure to comply with statutory reporting requirements. Specifically, the complaint alleged that Councilmember Alexander may have engaged in the following prohibited conduct: (1) made payments of \$1200 monthly in rental payments for her campaign office from constituent services funds; (2) failed to report an in-kind contribution of \$250 per month for rental space; (3) accepted an in-kind contribution in excess of contribution limits; (4) accepted a reduced rental rate in exchange for official government action, i.e., introduced legislation that purportedly would have benefitted her landlord; (5) derived personal benefits from her constituent services fund; (6) listed items such as Other, Advertising and Catering on her Constituent Services Reports of Receipts and Expenditures, which did not benefit the residents of Ward 7; and (7) used District of Columbia Government employees during normal work hours in her campaign office, which also serves as her Ward Constituent Services office, [for other than government purposes].

## **II. Findings of Fact**

In January 2007, then-Candidate Alexander registered with the Office of Campaign Finance (OCF) to fill the unexpired term of former Councilmember Ward 7, Vincent C. Gray, (who ascended to the position of Chairman of the Council) following the May 2007 Special Election. On February 15, 2007, the Yvett M. Alexandria for Ward 7 Counsel (Principal Campaign Committee) and Crawford Edgewood Managers, Inc. <sup>1</sup>entered into a fully executed lease agreement for office space at 2524 Pennsylvania Avenue, S.E., Suite B, Washington, D.C. The lease term was four (4) months commencing on February 15, 2007 through June 14, 2007 at the rate of \$900.00 per month, utilities included. On May 1, 2007, Candidate Alexander won the Ward 7 Council seat and subsequently became the Council representative for the residents of Ward 7.

On July 14, 2007, the Yvett M. Alexandria/Constituent Services [Program] entered into a fully executed lease agreement with Hazle, L.L.C. for office space at 2524 Pennsylvania Avenue, S.E., Suite B, Washington, D.C. The lease term was seven (7) months commencing on July 1, 2007 through January 31, 2008 at the rate of \$1,200 per month, utilities included.<sup>2</sup> On July 23, 2007, the Yvette Alexander Constituent Fund was established with OCF, with its principal address listed at 1350 Pennsylvania Avenue, N.W., Suite 400, Washington, D.C. 20004.

On January 22, 2008, OCF's Reports Analysis and Audit Division (RAAD) issued a Request for Additional Information (RAI) concerning Councilmember Alexander's lease agreement for constituent services office space at 2524 Pennsylvania Avenue, SE. The lease was fully executed by the parties for the period June 2007 through January 2008, with monthly rental payments of \$1,200.00.

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<sup>1</sup> Crawford Edgewood Managers, Inc. is the property manager for Hazle, L.L.C.

<sup>2</sup> Each of the referenced leases included clauses stating that the Landlord agrees to secure and pay utilities, including water, sewer, gas and electricity, as well as to provide all major maintenance and repair services. The Tenant agrees to pay for trash collection and disposal, janitorial services, tenant improvements and routine maintenance.

Notwithstanding, the audit staff reviewed a second, unexecuted lease agreement for the lease period, June 2007 through June 2008, provided by the treasurer of the Councilmember's constituent services program. The monthly rental of the office space was \$1,200 for the twelve-month period or \$14,400, with the rental amount changed from \$1,200 to \$950. The initials on the changed rental amount appear to be those of Asa Ewings, Property Manager; notwithstanding, this lease was not executed by the parties. However, it apparently reflected the terms agreed to by the parties, which were observed until the termination of the lease sometime in early 2011.

On January 23, 2008, Councilmember Alexander filed a Statement of Candidacy with OCF, and named the Committee to Re-Elect Yvette Alexander as her Principal Campaign Committee (PCC) for the 2008 General Election. On February 6, 2008, the Committee to Re-Elect Yvette Alexander filed a Statement of Organization with OCF to establish it as the Councilmember's PCC. The address of record for the Committee to Re-Elect Yvette Alexander was 2524 Pennsylvania Avenue, S.E., [Suite B], Washington, D.C. 20020. On November 4, 2008, Councilmember Alexander was re-elected as Ward 7 representative to the District of Columbia Council for a full term of four years.

In January 2009, then-Council Chair, Vincent C. Gray, assigned Councilmember Yvette Alexander to the Council's Subcommittee on Economic Development. On July 14, 2009, Councilmember Alexander introduced Bill B18-0399, "Pennsylvania Avenue-Minnesota Avenue, S.E. Eminent Domain Authorization Act of 2009" (hereinafter referred to as Bill), which was referred by the Subcommittee on Economic Development.<sup>3</sup> The Bill was co-sponsored by Councilmembers Wells, Barry, M. Brown, K. Brown, and Council Chair Gray. The purpose of the Bill, or proposed legislation, was "to authorize the Mayor to exercise eminent domain authority to acquire property in the area of the intersection of Pennsylvania Avenue and Minnesota Avenue, S.E." The proposed legislation stated in pertinent part that "the Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area properties is

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<sup>3</sup> D.C. Council LIMS (Legislative Information Management System)

afflicted with buildings and improvements that are obsolete, dilapidated, and deteriorated to the point of being nuisances to the community, which also contribute to juvenile delinquency, poverty, and crime . . .”; and “must be redeveloped in order to improve the safety and quality of life in the area to attract businesses that are desired by nearby residents.” Further, “The acquisition of the properties in the Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection Area and the redevelopment of the Pennsylvania Avenue-Minnesota Avenue, S.E. Intersection area serve many public purposes and are in the interest of, and for the benefit of, the citizens of the District of Columbia.” On February 23, 2010, Councilmember Alexander withdrew Bill B18-0399 from further consideration by the District of Columbia Council.

On April 13, 2011, OCF issued a letter to H. R. Crawford, President and Chief Executive Officer (CEO) of Crawford Edgewood Managers, Inc., to request information concerning the lease agreements between his firm and Councilmember Alexander’s Principal Campaign Committee (PCC) and Constituent Services Program relative to office space at 2524 Pennsylvania Avenue, S.E., Suite B, Washington, D.C. Specifically, Mr. Crawford was requested to respond to the allegation that a reduction in rent may have been accorded the Councilmember’s PCC, thereby constituting an in-kind contribution to her campaign.

On April 20, 2011, Mr. Crawford responded by letter stating that Councilmember Alexander leased office space at 2524 Pennsylvania Avenue, S.E. for more than three (3) years; that space was leased at a “usage-conditional cost between \$1,200 and \$1,400 as a campaign office, and \$950 as a constituent services office.” Further, Mr. Crawford stated that “this difference in cost is historically due and in direct proportion to the greater use during a campaign since, at that time period, there is higher traffic and a greater volume of workers and constituents, consequently necessitating heavier usage of utilities such as electricity and water.” Additionally, Mr. Crawford submitted copies of two (2) lease agreements: (1) a lease agreement between “Yvett M. Alexandria/Constituent Services Office of Ward 7, Tenant, and Hazle, LLC, Landlord”, for a one-year lease period commencing July 1, 2007 through June

30, 2008, payable in monthly installments of \$1,400 or \$16,800; and (2) a lease agreement between the “Committee to Reelect Yvett M. Alexandria, Tenant and Hazle, LLC, Landlord” for eleven months commencing on February 1, 2008 through December 31, 2008 payable in monthly installments of \$1,200 or \$14,400; subsequently, the amount of \$1,200 was struck, changed to \$950, and initialed. It should be noted that neither of these agreements was fully executed by the parties.

On May 11, 2011, Councilmember Alexander, through counsel, provided a written response to complainant’s allegations. In brief, the Councilmember stated that:

(1) she denies that inappropriate payments were made from her Constituent Services Fund (CSF) for rental space for her campaign; that at varying periods the office at 2524 Pennsylvania Avenue, S.E. was used as a campaign office as well as a constituent office; that when the office was used as a campaign office, the rent was paid by her campaign, and similarly, that rent for the constituent office was paid by the CSF;

(2) she denies that she failed to report an in-kind contribution for rental space; that on February 15, 2007, her former campaign manager executed a lease agreement with Crawford Edgewood Managers, Inc., that the initial lease period was for four (4) months, ending June 14, 2007 at the rental rate of \$900 per month; that during the period January 2008 through December 2008, while the office was used for her 2008 re-election campaign, the rental rate was \$1,200 per month; that following the 2008 campaign period, the office use reverted to her constituent services program, with a rental rate of \$950 per month;

(3) she denies the acceptance of an in-kind contribution(s) in excess of the contribution limits; that the allegation presupposes that each month during the period January 2009 through February 2011, the Councilmember received an in-kind contribution of \$250 per month as a result of the

renegotiated rent of \$950; that the \$950 rental rate actually represents a \$50 per month increase in the rental rate initially negotiated in the lease executed in February 2007;

(4) she denies that she accepted a reduced rental rate to influence official government action; that the Councilmember introduced in July 2009, Bill 18-0399, "Pennsylvania Avenue-Minnesota Avenue, S.E. Eminent Domain Authorization Act of 2009"; that the purpose of the proposed legislation was to "authorize the Mayor to exercise eminent domain authority to acquire property in the area of the intersection of Pennsylvania Avenue and Minnesota Avenue, S.E.; that the Pennsylvania Avenue Task Force, an organization of Ward 7 community leaders charged with redesigning Pennsylvania Avenue, S.E. from the Sousa Bridge to the Maryland border had been requesting the demolition of this intersection for more than ten (10) years; that the legislation was introduced to help facilitate the many years of work by Ward 7 residents to enhance this main street; that the legislation was co-sponsored by Councilmembers Barry, M. Brown, K. Brown and Wells; that in February 2010, the legislation was withdrawn by the Councilmember primarily due to lessons learned from the Skyland development project, and the concomitant difficulty with taking private property through eminent domain and the subsequent transfer of that property to a private developer.

(5) she denies that payments to Verizon were inconsistent with the purpose of providing services to the residents of the District of Columbia; that until recently, there were no government buildings in Ward 7 to provide free constituent office space, and understanding the difficulty of travel to the Wilson Building by Ward 7 residents, she maintained an office in Ward 7 to better serve her constituents; therefore, the expenses related to operating the constituent office were justified;

- (6) she denies the allegation that she personally benefitted from the Constituent Services Fund (CSF), and that the record lacks any evidence that she derived any personal benefit from the Fund;
- (7) she denies inappropriate use of constituent service funds for advertising, catering and other services; that program books are commonplace and a natural part of Ward 7 activity; that she purchased ads in various program books with constituent services funds; that she provided catered food for many community events; and that she paid for plaques to honor certain distinguished Ward 7 residents;
- (8) she denies use of District of Columbia Government employees during normal work hours in her campaign office, which also serves as her ward office; that this allegation is unsubstantiated and untrue; and, that at no time during her tenure as a councilmember has she used District employees during normal work hours in her campaign.

On June 16, 2011, Councilmember Alexander, through counsel, responded in writing to OCF's request for additional information, including information on the proposed eminent domain legislation, Bill B18-0399, "Pennsylvania Avenue-Minnesota Avenue, S.E. Eminent Domain Authorization Act of 2009."

Councilmember Alexander stated that the Pennsylvania Avenue Task Force, a group of Ward 7 community leaders, including Mr. H. R. Crawford, spent many years working on a plan that called for the demolition of property that was considered blighted at the intersection of Minnesota Avenue and Pennsylvania Avenue, S.E. She stated that Mr. Crawford's desire to develop the property was well known and supported by Ward 7 residents. Further, Mr. Crawford presented plans to redevelop the entire block which included 2524 Pennsylvania Avenue, S.E. to several community groups. During the process

of eminent domain conversations, Mr. Crawford made representations that he had approached all of the owners of the affected properties on the block/parcel and that he had tentative agreements to purchase their property for the purpose of redevelopment of the entire block. She stated that Mr. Crawford requested that his properties not be included in the eminent domain legislation. Further, it was her understanding that the property owners ultimately decided not to sell their properties to Mr. Crawford.

As early as 2004, the East of the River Pennsylvania Avenue Revitalization Task Force in correspondence dated August 21, 2004 addressed to then Mayor Anthony Williams and then City Administrator Robert Bobb, expressed concerns about the redevelopment of Pennsylvania Avenue, S.E., and recapped important issues raised during the Mayor's visit to the Task Force and Bobb's walk through the area near the Sousa Bridge, including the redevelopment of the 2300 block of Pennsylvania Avenue, S.E. The Task Force identified itself as "a coalition of eight communities, three ANC Commissions and two wards" who looked forward to working with the Mayor and his administration "to making Pennsylvania Avenue the crown jewel as America's Main Street."

Finally, the withdrawal of the legislation prior to a committee hearing resulted from the following concerns: (1) that eminent domain where property would go from private hands to private hands created tremendous problems as evidenced with the Skyland Project<sup>4</sup>; and (2) none of the affected property owners in the 2524 block of Pennsylvania Avenue, S.E. wanted to sell to Mr. Crawford.

On June 23, 2011, OCF interviewed H. R. Crawford, President and Chief Executive Officer (CEO) of Crawford Edgewood Managers, Inc., landlord of Councilmember Alexander's campaign and constituent services offices at 2524 Pennsylvania Avenue, S.E. Mr. Crawford stated that his relationship as landlord of the Councilmember started with the rental of office space for her campaign in the May 2007 Special Election. He recalled renting the space to the campaign at approximately \$1,250 per

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<sup>4</sup> A redevelopment project in Ward 7 that has been tied up in the courts over the right of eminent domain.

month. He stated the property consisted of approximately 1,100 square feet of furnished office space, no security deposit was required, with utilities and trash removal included. Further, Mr. Crawford stated that the Councilmember later leased this space for her constituent services office at \$950 monthly. The reduced rate was due to the reduction in traffic, wear and tear on the building, and reduced use of utilities. Additionally, Mr. Crawford stated that the office space at 2524 Pennsylvania Avenue, S.E. has been used in the past by various “political types” such as Reverend Jesse Jackson, Reverend Al Sharpton, former Mayor Anthony Williams, and former Council Chair Linda Cropp.

Mr. Crawford stated that he participated in the “Great Streets Initiative”<sup>5</sup> several years prior, where it was the intention of the District of Columbia to improve all of its main thoroughfares, including Pennsylvania Avenue, S.E. He stated that he placed a bid for the back-end of the project, but it “went no where.” He stated that he knew very little about the eminent domain issue. He cited the “horrific problems” with the Skyland Project as the reason the eminent domain bill did not go through. Mr. Crawford, who owns 2520, 2522, 2524 and 2526 Pennsylvania Avenue, S.E., stated that he did not know why those properties were not designated for seizure in the eminent domain legislation.

On June 30, 2011, OCF interviewed Sharon Shanklin-Browne, former volunteer, serving as an administrative assistant, for Councilmember Alexander’s 2007 Special Election campaign, and as office manager in the Councilmember’s Council office after the election. Ms. Shanklin-Browne stated that she performed clerical duties, including, among other things, answering telephones (which included responding to constituent service-related matters that came in daily), processing mail, managing payroll, and collecting and distributing constituent service materials for the Director of Constituent Services as needed.

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<sup>5</sup> “A multi-year, multiple agency effort to transform nine under-invested corridors into thriving and inviting neighborhood centers. The Office of the Deputy Mayor for Planning and Economic Development (DMPED) partnered with the District Department of Transportation (DDOT) and the Office of Planning (OP) to manage the program.”

Ms. Shanklin-Browne further stated that she interacted with Ward 7 constituents who came to the Wilson Building seeking assistance for rent, utilities, etc. She remarked that the Ward 7 community became aware of the availability of constituent service funding via word-of-mouth communication. She stated that constituents would receive either full or partial financial assistance from the Councilmember's constituent services fund, depending on the circumstances. Ms. Shanklin-Browne added that constituents picked up checks either from the Wilson Building or the Ward 7 office, depending on where the initial request was received. Finally, Ms. Shanklin-Browne stated that, during her tenure, Councilmember Alexander received 100 Safeway Gift Cards valued at \$25 each; five (5) Thanksgiving food baskets from Mt. Moriah Church; and additional food baskets from a local police precinct, which were distributed to Ward 7 residents.

On June 30, 2011, OCF interviewed George B. Browne, former volunteer for Councilmember Alexander's 2007 Special Election campaign; former campaign office manager for the Councilmember's 2008 re-election campaign; former part-time constituent service staff member in 2008 through 2010 in the Ward 7 office at 2524 Pennsylvania Avenue, S.E., and current Advisory Neighborhood Commissioner (ANC) for Single Member District (SMD) 7E01. Mr. Browne stated that his duties included receiving and responding to incoming emails; helping constituents with financial assistance requests; creating a financial assistance packet containing pertinent materials related to the type or kind of assistance requested; completing and forwarding financial assistance packets on a weekly basis to the Councilmember's downtown (Council) office for approval/payment. Mr. Browne further noted that he received approximately a dozen calls daily from constituents, and that the Director of Constituent Services would notify each constituent concerning the status of their request.

On June 30, 2011, OCF interviewed Amin Muslim, former volunteer for Councilmember Alexander's 2007 Special Election campaign, who currently serves as a full-time member of the Councilmember's staff as Director of Constituent Services. Mr. Muslim stated that he works directly

with constituents on a daily basis by responding to inquiries and requests made by them. He provides Ward 7 constituents with access to resources, services and programs specific to their needs. Mr. Muslim estimates that he receives up to 100 requests for assistance weekly, and that approximately 80% of those requests come from destitute constituents.

Mr. Muslim stated that there are criteria established for consideration of requests for financial assistance, including valid identification, proof of loss of income, account history supporting loss of income, and a future budget plan prior to his recommendation to the Councilmember for financial assistance from the constituent services fund. Although his recommendation is made to the Chief of Staff and Councilmember concerning priority of financial assistance, the Councilmember makes the final decision on usage or disbursements of constituent services funds.

Notwithstanding, Mr. Muslim stated that most constituent needs are met through collaboration with other community resources, services and/or programs. He further stated that Councilmember Alexander used constituent services funds for plaques for valedictorians of every high school graduating class in Ward 7, which she personally attends; and that she provided catered meals to attract constituent attendance at Ward 7 community meetings and events.

Finally, Mr. Muslim added that Councilmember Alexander's constituent services program helped a constituent to get her utility[ies] restored after negotiating a payment plan with WASA to settle a \$5,000 overdue bill. He further noted that he has observed Councilmember Alexander writing checks from her personal account "on the spot" to Ward 7 constituents who were in crisis.

On June 30, 2011, OCF interviewed Dexter Lynnell Humphrey, former volunteer for Councilmember Alexander's 2008 re-election campaign, who currently serves in a full-time position on Councilmember Alexander's staff as Deputy Director for Constituent Services. Mr. Humphrey explained

that he serves as a liaison between Ward 7 residents and city agencies, which entails follow-up with city agencies to ensure that required or requested services are performed, as appropriate. He further stated that he attends community meetings sponsored by the various sub-communities in Ward 7, responds to Ward 7 emergencies, including fatalities. Mr. Humphrey added that Ward 7 constituents are aware of Councilmember Alexander's constituent services program through local agencies, previous Ward 7 Councilmembers, neighbors, etc.

Mr. Humphrey stated that constituent services requests follow a "chain of command", i.e., from the Deputy Director of Constituent Services, to the Director of Constituent Services, to the Chief of Staff, to Councilmember Alexander. He recalled receiving up to \$50,000 in requests for financial assistance in one (1) day. He stated that requests for financial assistance are logged on a constituent services sheet and completed on a case-by-case basis. Finally, Mr. Humphrey stated that he is not aware of any constituent services solicitations made directly from the Councilmember's Council office.

On July 1, 2011, OCF interviewed Eduardo (Ed) Potillo, the current Chair of the Ward 7 Democrats; former Field Coordinator for Councilmember Alexander's 2007 election campaign and Field Director for Councilmember Alexander's 2008 re-election campaign. Mr. Potillo stated that both campaign positions were paid positions, the former via stipend, the latter a salaried position. He further stated that he worked solely on the Councilmember's campaigns during the evening hours and weekends to support her election to office. Mr. Potillo stated that he worked exclusively out of the campaigns' 2524 Pennsylvania Avenue, S.E. address, and that his telephone usage was limited to local calls. He stated that his opinion was sought concerning the content of campaign literature, and that he played an advisory role regarding how to secure votes.

On July 8, 2011, OCF interviewed Councilmember Yvette Alexander, Councilmember Ward 7, represented by David Wilmot, Esq. Councilmember Alexander stated that she has occupied the position

of Councilmember Ward 7 since May 2007, and that she has managed a constituent services fund since she became a Councilmember. The Councilmember stated that disbursements from her constituent services fund are based on a request, a need and the amount of money available in the fund.<sup>6</sup> She further stated that she makes the final decision on how funds are spent.

Councilmember Alexander stated that she views catering expenses as appropriate use of constituent services funds because she normally sponsors a meal at her community events, leadership council meetings and State of the Ward address. She stated that she considers a meal as a tradition in the African-American tradition and that it is a part of the fellowship in the Ward 7 community.<sup>7</sup> The Councilmember stated that leadership council meetings occur monthly, that the State of the Ward address occurs once a year, that Ward 7 has 29 communities which have meetings she attends, and that attendance at these events is made up primarily of Ward 7 residents.<sup>8</sup>

Councilmember Alexander stated that when she sponsors a community event or buys a table for a civic association dinner, community fair or other community event, there are normally souvenir booklets that accompany the events in which she provides a letter to constituents in the booklet. According to the Councilmember, a disbursement from the constituent service fund for a community event is reported to OCF as an advertisement because OCF's reporting form does not provide for the sponsorship of a community event, other than Other or Advertising.<sup>9</sup> Councilmember Alexander further added that she is asked frequently to sponsor Ward 7 community events such as the Hillcrest Gardens Tour, the Penn Branch Civic Association dinner-dance, the Fairlawn Harvest Ball, among others, to help defray the cost of catering, entertainment, etc., or by sponsoring the attendance of constituents who can't afford to go to the event.<sup>10</sup>

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<sup>6</sup> Transcript, p.5

<sup>7</sup> Transcript, p.6

<sup>8</sup> Transcript, p.7

<sup>9</sup> Transcript, pp. 8-9

<sup>10</sup> Transcript, p.9

Councilmember Alexander stated emphatically that she has never directly or indirectly benefitted from her constituent services funds, and that on several occasions she used personal funds to directly finance the needs of her constituents. For example, she stated that she has given graduation money to students as well as awards for their achievement; written personal checks for the bereaved in the Ward; paid for fuel expenses; paid for a hotel when constituents were burned out of their home; paid for groceries, etc.<sup>11</sup>

The Councilmember denied that she introduced legislation that would benefit her landlord. She stated that the legislation actually came from the Executive Branch, specifically, from the Mayor's Office of Planning and Economic Development, which began under Mayor Williams and continued during the Fenty administration as part of the Great Streets Project, where massive revitalization of Pennsylvania Avenue, S.E. was planned from the foot of the Sousa Bridge to the Maryland line at Southern Avenue. She stated that the Pennsylvania Avenue Revitalization Task Force was involved, and that "there were various businesses along that corridor that are in disrepair and they are blighted in the community, so this was a piece of legislation to remedy that situation."<sup>12</sup>

Councilmember Alexander admitted playing a role in the decision concerning which properties would be subject to the eminent domain provisions of the legislation. She stated that the properties slated for redevelopment, i.e., those blighted properties, were included in the legislation. Councilmember Alexander further stated that her landlord, H. R. Crawford, Crawford Edgewood Managers, Inc., did not influence her decision to propose the legislation, and that she did not know whether Mr. Crawford stood to benefit from the seizure of any of the private properties on Pennsylvania Avenue, S.E. as a result of the legislation.<sup>13</sup> Councilmember Alexander further explained that she had no specific vision for the

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<sup>11</sup> Transcript, p.11

<sup>12</sup> Transcript, p.12-13

<sup>13</sup> Transcript, p.14

revitalization of properties along the targeted Pennsylvania Avenue, S.E. corridor, but that the Pennsylvania Avenue Revitalization Task Force was in place to do that.<sup>14</sup>

Councilmember Alexander stated that she ran for office on a campaign promise to continue to have access to constituents in Ward 7. Consequently, because there was no government facility in Ward 7, i.e., no free office space available, she decided to rent office space in her Ward to operate her constituent services program.<sup>15</sup>

The Councilmember stated that her campaign and constituent services program occupied office space at 2524 Pennsylvania Avenue, S.E., Suite B from 2007 to April 2011. She recalled there was no negotiation for office space at the referenced address with the landlord, but rather she was told what the rent would be through a lease agreement. She stated that the space included a furnished main office, side office, two (2) bathrooms and a storage room, and that utilities were included in the rental cost. She added that she paid for telephone service.

Councilmember Alexander stated that the reduction in the cost of leased office space at 2524 Pennsylvania Avenue, S.E, Suite B occurred through a new lease agreement. She stated that she assumed the rental rate differential had to do with usage of the space, i.e., utilities, as her constituent service program closed down between 4 and 5 p.m., Monday through Friday, as opposed to her campaign office, which was open at times around the clock.<sup>16</sup>

The Councilmember stated that her Director of Constituent Services keeps a log of requests for assistance that come in from constituents. She stated that these requests are for financial assistance with

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<sup>14</sup> Transcript, p.17

<sup>15</sup> Transcript, p. 17: Councilmember Alexander further stated that her new constituent service office is now housed in free space in the newly constructed Department of Employment Service building in Ward 7, in Northeast Washington, D.C.

<sup>16</sup> Transcript, p.23

funeral expenses, college tuition, tuition assistance, utility assistance, groceries, [shelter] for displaced residents, car notes, mortgage payments, among others. According to the Councilmember, the frequency of these requests is 24/7, and that 100% of constituent services funds are [spent] on Ward 7. Further, the Councilmember reiterated her opinion that the categories on OCF's constituent services reporting form did not reflect sufficient categories for constituent services activities, but rather mirrored those of a campaign.<sup>17</sup>

The Councilmember stated that she established a business account with Verizon, and that she was billed for five (5) lines, internet service and fax capability. She stated the telephone lines were used for both of her election campaigns, and transferred to use by her constituent services program. She recalled the bill ranged from approximately \$400 - \$500 per month, and that the final bill (in excess of \$5,000) represented arrearages or non-payment of the bill. She further stated she did not know why Verizon did not cut off her telephone service. The Councilmember stated that all lines were dedicated to providing constituents with help, when needed. For example, when a constituent had utility bills, financed in part by her constituent services fund, and by a relative in another State, the office telephone was used to coordinate a payment schedule with the constituent, the relative and the Washington Gas Company. She stated another case in which a female constituent, who was entangled in a cycle of arrest and needed assistance in relocating away from the D.C. area, was helped by use of the telephone service to contact her out-of-state mother to coordinate safe passage to her mother.<sup>18</sup>

Councilmember Alexander affirmatively stated that while certain employees on her current Council staff are working on her current re-election campaign, none is doing so during normal business hours.

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<sup>17</sup> Transcript, p.28

<sup>18</sup> Transcript, p.32

On July 14, 2011, OCF interviewed John R. Meyers, former campaign manager for CM Alexander's first election campaign and current Chief of Staff to Councilmember Alexander, represented by Warner H. Session, Esq. Mr. Meyers stated that he became a full-time member of CM Alexander's staff in May 2007. As Chief of Staff, he managed not only the office staff, but also the activities of the constituent services staff. Mr. Meyers stated that prior to the current year, there was no government office space in Ward 7 for the operations of a constituent services program. Consequently, office space was rented for constituent services operations at 2524 Pennsylvania Avenue, S.E. in previous years. However, he confirmed that rent-free office space for Ward 7 constituent services operations will be housed in the newly constructed Department of Employment Services building at Minnesota Avenue and Benning Road, N.E.

Mr. Meyers further stated that the completion of an "in-take" sheet was required of constituents requesting financial assistance from the Councilmember's constituent services program. These documents would be reviewed by the Director of Constituent Services and forwarded to Councilmember Alexander, where payment was recommended, if deemed warranted. Payments from the constituent services fund would be recommended where it would "finalize the deal", or satisfy the need. Notwithstanding, he stated that many requests from constituents do not require funding, but rather a referral to other resources, including city services.

Mr. Meyers described Ward 7 as having 29 "formalized areas", with approximately 10 community organizations which have regular events seeking the Councilmember's sponsorship. According to Mr. Meyers, requests for sponsorship of an event come, for example, in the form of a request to purchase advertising space for a "letter" to constituents in a program book to help defray the cost of a community event. In addition, Mr. Meyers cited examples of monthly community meetings on Saturday mornings, and the annual State of the Ward address occurring late in the evening, where full meals are offered to attendees, who are mainly Ward 7 residents.

On July 14, 2011, OCF interviewed Darryl Rose, former campaign manager for Councilmember Alexander's 2008 re-election campaign, represented by Warner H. Session, Esq. Mr. Rose stated that he is a life-long member of the Ward 7 community and that he worked long hours, from early morning to late evenings, on the Councilmember's campaign. He further stated that he worked exclusively on the campaign out of the 2524 Pennsylvania Avenue, S.E. campaign office. Mr. Rose stated that he received contributions on behalf of the Councilmember at fundraising events, and that he forwarded those funds directly to the campaign treasurer. He stated that he was not involved in the preparation of mailers or solicitations for contributions to support the campaign. Additionally, Mr. Rose stated that he did not oversee telephone usage while working on the campaign and, therefore, had no knowledge of any unauthorized use of the telephone service.

On July 18, 2011, OCF interviewed Florence Thompson, former campaign volunteer for Councilmember Alexander's Special Election campaign as well as her 2008 re-election campaign. Ms. Thompson stated that she worked out of the Councilmember's 2524 Pennsylvania Avenue, S.E. office as a member of the administrative staff, where she answered telephones, performed typing, mailing and "robo" call assignments. She stated that during the 2008 re-election effort, she was paid a stipend for her services. Ms. Thompson advised that the Councilmember's campaign and constituent services operations worked simultaneously out of the same office; and that she only made local calls to Ward 7 constituents. She stated that both referenced operations were well segregated, and that there was no overlap in responsibilities.

### **III. Conclusions of Law**

**D.C. Official Code § 1-1104.03(a) states in pertinent part, "No campaign activities shall be conducted nor shall campaign literature or paraphernalia be distributed as part of citizen-service programs pursuant to this subsection."**

**3 DCMR §3014.2(f) provides that citizen-service programs are prohibited from “conducting any other campaign activities covered in this Title.”**

Councilmember Alexander’s Principal Campaign Committee (PCC) and Constituent Services Program (CSP) entered into separate lease agreements for office space at 2524 Pennsylvania Avenue, S.E. The Councilmember’s designated PCC for the May 2007 Special Election, Yvette M. Alexander for Ward 7 Council, registered with OCF on January 3, 2007, and was first in time to secure office space with the referenced landlord. The rental rate agreed upon by the PCC and landlord was \$900 per month for the four-month period commencing in February 2007 and ending in June 2007. Subsequently, Councilmember Alexander won the election, after which she became eligible to establish a Constituent Service Program.

In July 2007, Councilmember Alexander registered a Constituent Services Program, the “Yvette Alexander Constituent Fund” with OCF, and entered into a seven-month lease agreement for the same office space as her former campaign. The agreed upon rental rate was \$1,200 per month. It should be noted that the differential in rental cost was \$250 per month. The leases referenced herein were substantially the same, i.e., included furnished office space and utilities, with the exception of the lease term and rental cost.

By letter dated April 20, 2011, and later in a personal interview with OCF, Mr. H. R. Crawford, landlord of the leased premises at 2524 Pennsylvania Avenue, S.E., Suite B, stated the rent for the office space was “use-conditional”, i.e., contingent, in part, on the historic tendency of campaigns to use more utilities due to longer hours of operation, increased traffic and wear and tear on the building. Parenthetically, during separate interviews with OCF, both Councilmember Alexander and Mr. Crawford stated their belief that the campaign paid rent in the amount of \$1,250 per month and that the CSP paid the lesser amount of \$900 per month, notwithstanding initial lease agreements to the contrary.

In an article appearing in the Washington Times in February 2011, Mr. H. R. Crawford is purported to have stated that he reduced the rent of the CSP office space from \$1,200 to \$950 “not based on market value,

but because he cares about the community.” Notwithstanding, as distinguished from the campaign operation, the CSP operations occurred generally during [finite] office hours, resulting in reduced usage of utilities, and less wear and tear on the building. Therefore, we conclude that the reduction in rent was made based on use.

Further, a review of bank records obtained by OCF reflecting rental payments by the Councilmember’s Principal Campaign Committee (PCC) and Constituent Services Fund (CSF) do not support that rental payments for the campaign office were made from the CSF. While it should be noted that the PCC and CSP apparently used the office space simultaneously at various times, it is clear that both entities paid the amounts due pursuant to their separate agreements, from separate bank accounts, and segregated their activities. Based on the foregoing, we conclude that Councilmember Alexander’s CSF did not make rental payments for her campaign office in violation of the statute.

**D.C. Official Code §1-1104.03(a) provides, “[N]o person shall make any contribution which, . . . when aggregated with all other contributions received from such person, exceed \$500 per calendar year . . .”**

**D.C. Official Code § 1-1104.03(c ) states, “Contributions of personal property from persons to the Mayor or to any members of the Council or contributions of the use of property shall be valued, for purposes of this section, at the fair market value of such property not to exceed \$1,000 per calendar year at the time of the contribution.”**

Based on the previous analysis and conclusion that OCF did not find [that] Councilmember Alexander’s Constituent Service Fund (CSF) received reduced rent at \$950 per month, thereby constituting in-kind contributions in the form of reduced rent by her landlord, we conclude that we do not reach the issues of whether Councilmember Alexander failed to report an in-kind contribution of \$250 per month by her landlord; nor that the Councilmember accepted excessive contributions in violation of the statute.

**D.C. Official Code § 1-1106.01( c) states in relevant part that “[N]o person shall offer or give to a public official . . . , and no public official shall solicit or receive anything of value, including a . . . discount . . . , based on any understanding that such public official’s official actions or judgment or vote would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his or her duties . . . , except for political contributions publicly reported . . . and transactions made in the ordinary course of business of the person offering or giving the thing of value.” (emphasis added)**

Commencing in 2008 under then-Mayor Williams and continuing with Mayor Fenty, the “Great Streets” initiative was launched, designating Pennsylvania Avenue, S.E. as one of the city’s nine (9) major thoroughfares targeted for revitalization. According to Councilmember Alexander, the proposed legislation originated with the Executive’s Office on Economic Development, involving other agencies of the District of Columbia Government.

The “Pennsylvania Avenue-Minnesota Avenue, S.E. Eminent Domain Authorization Act of 2009”, the legislation at issue here, was introduced by Councilmember Alexander on July 14, 2009. The proposed legislation was drafted, among other things, to authorize the Mayor to exercise eminent domain authority to acquire certain properties in the area of the intersection of Pennsylvania and Minnesota Avenues, S.E. with a view toward improving the quality of life of nearby residents and to attract viable businesses.

The legislation listed in seriatim the addresses of private properties targeted for taking by eminent domain. However, missing from that listing were properties owned by Councilmember Alexander’s landlord, H. R. Crawford (i.e., 2520, 2522, 2524 and 2526 Pennsylvania Avenue, S.E.). According to Councilmember Alexander in her written response dated June 16, 2011, Mr. Crawford asked that his properties be excluded from the eminent domain legislation. Further, the Councilmember stated that Mr. Crawford presented her office with development plans for the parcel. Mr. Crawford, in an interview with OCF, admitted that he approached Councilmember Alexander with his concept for redevelopment of the affected area, which was not successful. The legislation was withdrawn from D.C. Council consideration on February 23, 2010, approximately seven (7) months after its introduction. According to Councilmember Alexander, the legislation was withdrawn, in part, due to problems associated with the

proposed takings by eminent domain experienced in the “Skyland Project”, another Ward 7 redevelopment enterprise.

While it is alleged that Councilmember Alexander accepted a reduced rental rate in exchange for official government action, i.e., sponsorship of the legislation to provide a financial benefit to her landlord, it is not consistent with the facts. The legislation at issue did not originate with Councilmember Alexander, but rather the Executive.

Moreover, the lease agreements between Mr. Crawford and Councilmember Alexander were made in the ordinary course of business between Crawford Edgewood Managers, Inc. and Councilmember Alexander’s Constituent Services Program based on “usage-conditional” cost and in direct proportion to usage of utilities occasioned by the purpose. Upon her election as Councilmember for Ward 7 in May 2007, Councilmember Alexander was unable to avail herself of public space in Ward 7 for her Constituent Services Program, and rented space in Ward 7 to accommodate the citizens of Ward 7. Further, H. R. Crawford has leased office space historically to national and local politicians such as the Reverend Jesse Jackson, the Reverend Al Sharpton, former Mayor Anthony Williams, former Council Chair Linda Cropp and former Councilmember Kevin P. Chavous. Mr. Crawford, as an experienced landlord of “political types” and as a former Councilmember, was acutely aware of the differences in use generated by a constituent services program and campaign operations. Based on the foregoing, we conclude that the lease agreements between Crawford Edgewood Managers, Inc. and the Councilmember’s Constituent Services Program were made in the ordinary course of business of Mr. Crawford, and not to influence Councilmember Alexander’s official actions relative to the proposed eminent domain legislation.

**D.C. Official Code §1-1104.03(a-1) states in pertinent part, “Furnishings, equipment, telephone service, and supplies to this office shall be provided from funds other than appropriated funds of the District of Columbia government.”**

**3 DCMR §3014.1 states, “[A] citizen-service program shall encompass any activity or program which provides charitable, scientific, educational, medical, recreational or other services to the residents of the District of Columbia, and promotes their general welfare.”**

Councilmember Alexander stated in an interview with OCF that she ran for office on a campaign promise to continue to make city services accessible to Ward 7 residents. Consequently, she rented office space in her ward because there was no government owned building or facility in Ward 7, i.e., free office space, available to operate her constituent services program. On March 3, 2011, the Councilmember issued a Press Release which stated that telephones, fax machines, copy machines, computers and internet access are not covered by the government, therefore, constituent services funds were used to cover these expenses.

The operation of a business office to serve the public or constituents requires a universal communication system or medium by which there may be contact with constituents, particularly those who may be unable to come into the office. Consequently, Councilmember Alexander stated that she established a business account with Verizon, including five (5) lines, two (2) of which were dedicated to computers and fax usage.

Councilmember Alexander further cited examples of the required use of long distance service on constituent services telephone lines, where out-of-state calls to relatives of Ward 7 constituents were authorized to coordinate resolution of local crises requiring immediate attention.

In an interview with George Browne, a part-time constituent service staff member for approximately two (2) years at the 2524 Pennsylvania Avenue S.E. office, Mr. Browne stated that he received approximately a dozen telephone calls daily from constituents, and that he received and responded to emails directed to the constituent services office. Both of these duties required use of telephone services.

OCF's auditors requested additional information from the treasurer of Councilmember Alexander's Constituent Services Program (CSP) in January 2008, July 2010 and in February 2011, including documentation for payments to Verizon from the CSP and the Councilmember's Principal Campaign Committee (PCC). The auditor's report stated satisfaction with the responses and information obtained. Based on the foregoing, we conclude that the Councilmember's payments to Verizon were made appropriately to provide services to the residents of the District of Columbia.

**3DCMR §3014.1 provides, "A citizen-service program shall encompass any activity or program which provides charitable, scientific, educational, medical, recreational or other services to the residents of the District of Columbia, and promotes their general welfare."**

**3DCMR §3014.2(e) states, "Citizen-service programs shall be prohibited from participating in any of the following: [u]sing any funds for personal purposes of the elected official."**

On June 8, 2011, and subsequently on June 23, 2011, OCF auditors concluded their review of expenditures reported by Councilmember Alexander's Constituent Services Fund (CSF). The auditors confirmed adequate justification for certain expenditures reported by the CSF. For example, Councilmember Alexander hosts, caters and awards plaques at an annual dinner for approximately 250 people to recognize outstanding members of the Ward 7 community. The total cost for this event over three (3) years approximated \$9,000. At another annual event, Councilmember Alexander recognizes high academic achievement of students graduating from each of the 32 schools in Ward 7. She presents plaques to the valedictorian of each High School graduating class in her Ward and personally attends the Graduation ceremony. The total cost for this event over three (3) years approximated \$4,500.

OCF auditors further confirmed expenditures to purchase tables at fundraising events, advertising space in program books to sponsor community events and to defray the costs of these events.

On July 8, 2011, during her interview at OCF, Councilmember Alexander stated that many of her Ward 7 community meetings (including leadership council meetings, other community meetings, annual

State of the Ward address) occur early on Saturday mornings or after work, where meals are served [as a convenience to her constituents], and to continue a longstanding African-American tradition of fellowship in the Ward 7 community. The cost associated with the foregoing events approximates \$98,000 over three (3) years. OCF does not deem such expenditures as an inappropriate use of CSP funds, where the events were scheduled to recognize the accomplishments of Ward 7 citizens and to address their concerns through community meetings. Further, there is no evidence to infer use of these funds for the personal benefit of the Councilmember. To the contrary, the evidence presented through the testimony of former and current Constituent Service volunteers and employees responsible for various aspects of the Councilmember's Constituent Services Program attested to a well organized and coordinated program from the receipt of requests for assistance through the response of her Office to provide access to resources, services and programs. All agreed that most needs of the citizens were met through collaboration with other agencies. The Councilmember's Constituent Services Program assisted citizens to plan for the future, and acted as a liaison between residents and city agencies to follow-up on requested services. Therefore, we conclude that Councilmember Alexander did not benefit personally from her Constituent Services Fund.

Based on OCF's conclusion that Councilmember Alexander did not use her Constituent Services Fund (CSP) for her personal benefit, it follows that the fund was appropriately used on expenditures such as Other, Advertising and Catering. Therefore, we conclude that such expenditures were made in furtherance of the fund's general purpose, i.e., providing services to the residents of the District of Columbia, and promoting their general welfare.

**D.C. Official Code § 1-1106.51 states, in pertinent part, “[N]o resources of the District of Columbia, including, . . . , the personal services of employees during their hours of work, . . . shall be used to support or oppose any candidate for elected office . . .”.**

OCF conducted interviews with former campaign workers whose assigned duty location was Councilmember Alexander's constituent services office at 2524 Pennsylvania Avenue, S.E. On June 30, 2011, OCF interviewed Mr. George Browne, a retired worker, who served as Councilmember

Alexander's 2008 campaign office manager at 2524 Pennsylvania Avenue, S.E. Mr. Browne performed various administrative duties for the campaign, and was not a District of Columbia Government employee.

On July 1, 2011, OCF interviewed Mr. Ed Potillo, former Field Coordinator for the Councilmember's 2007 election campaign, and Field Director for her 2008 re-election campaign. He stated that he was paid for his services in both positions. Mr. Potillo stated that he worked exclusively out of the 2524 Pennsylvania Avenue, S.E. address, and that his hours of work were evenings and weekends. He is employed full time by the National Alliance of Black School Educators.

On July 14, 2011, OCF interviewed Darryl Rose, former campaign manager for Councilmember Alexander's 2008 re-election campaign. Mr. Rose stated that he was paid for his services, and that he worked long hours, from early morning to late evenings, and that he worked exclusively from the 2524 Pennsylvania Avenue, S.E. location. Mr. Rose stated that he is self-employed.

On July 18, 2011, OCF interviewed Florence Thompson, former campaign volunteer in both of Councilmember Alexander's campaigns for elected office. Ms. Thompson stated that she served on the campaign's administrative staff at 2524 Pennsylvania Avenue, S.E., and was paid a stipend for her services. She stated that the Councilmember's campaign and constituent services operations worked simultaneously from the same address, but that the operations were well segregated with no overlap in responsibilities. Ms. Thompson stated that she is a seasonal worker at Nationals Baseball Park.

On the basis of the foregoing statements of former campaign workers, [and] without more, we conclude that Councilmember Alexander did not use D.C. government employees during normal work hours in her campaign office, which serves as her Ward office, to perform campaign-related activities.

**D.C. Official Code §1-1104.03(a) states in relevant part, “No campaign activities shall be conducted . . . as part of citizen-service programs pursuant to this subsection.”**

**3 DCMR §3014.2(f) provides that citizen-service programs are prohibited from “conducting any other campaign activities covered in this Title.”**

**3 DCMR §3711.2(u) states, “Fines shall be imposed as follows: (u) Conducting campaign activities in citizen-services programs \$2,000;”**

During the course of its investigation, OCF obtained cancelled checks drawn on Councilmember Alexander’s constituent services bank account at Industrial Bank. An inspection of these checks revealed a check in the amount of \$300, payable to the Parker Group for “robo” calls. The Parker Group is a business located in Birmingham, Alabama which specializes, among other things, in political teleservices. This expenditure was reported by the Constituent Services Program on OCF’s required Report of Receipts and Expenditures for Citizen-Service Program form. Notwithstanding, this was a prohibited expenditure due to its political nature as opposed to an expenditure made to benefit the citizens of Ward 7, or to promote their general welfare. Therefore, we conclude that Councilmember Alexander’s Constituent Service Fund violated the statute by making a prohibited expenditure from the Fund.

**D.C. Official Code §1-1104.03(a) provides in pertinent part, “The Mayor, the Chairman of the Council, and each member of the Council shall file a quarterly report of all contributions received and monies expended in accordance with this subsection with the Director of Campaign Finance.”**

**3 DCMR § 3711.2(dd) states, “Fines shall be imposed as follows: (dd) Failure to disclose required information on reports and statements \$50 per day;”**

Additionally, during the course of its investigation, an examination of cancelled checks drawn on Councilmember Alexander’s Constituent Services Fund at Industrial Bank revealed nineteen (19) checks, totaling in excess of \$4,700, which were not reported on a required Report of Receipts and Expenditures for Citizen-Service Program (R&E) form. The checks were issued during the period October 2007 through July 2009. Consequently, we conclude that Councilmember Alexander’s Constituent Services Fund violated the statute by failure to report certain expenditures on required R&E reports. Accordingly, the fund could be subject to a fine of \$38,000 for this violation.

**IV. Recommendation**

In view of the foregoing and information included in the record, I hereby recommend the following: (1) that the expenditure of \$300 to the Parker Group be deleted as an expenditure from the Constituent Services Report of Receipts and Expenditures (R&E), and reimbursed to Councilmember Alexander's Constituent Services Fund (CSF); (2) that the Constituent Services Program (CSP) file an amended Report of Receipts and Expenditures to include the 19 reportable checks issued by the Constituent Services Fund; (3) that the Director impose a fine of \$2,000 on the CSP for making a campaign expenditure from the Constituent Services Fund; and (4) that the Director impose a fine of \$2,000 for the reporting violations referenced herein, thereby consolidating the violations into one (1) violation. This is recommended so as not to deplete the current balance of Councilmember Alexander's CSF, in view of the fact that the intended purpose of the CSF is to benefit the residents of the District of Columbia and to promote their general welfare.

\_\_\_\_\_/s/\_\_\_\_\_  
Date

\_\_\_\_\_/s/\_\_\_\_\_  
Jean Scott Diggs  
Senior Hearing Officer

**V. Concurrence**

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

\_\_\_\_\_/s/\_\_\_\_\_  
Date

\_\_\_\_\_/s/\_\_\_\_\_  
William O. SanFord  
General Counsel

**VI. Order**

Based upon the foregoing findings of fact and conclusions of law, it is this 2nd day of August, 2011:

**ORDERED**, that a fine of \$4,000 be imposed in this matter.

Dated: August 2, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
Cecily Collier-Montgomery  
Director  
Office of Campaign Finance

This Order may be appealed to the Board of Elections and Ethics within 15 days from the date of issuance.

### **SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order by email on David W. Wilmot, Esq., at [dwwdc@aol.com](mailto:dwwdc@aol.com), and by first class mail on August 2, 2011 on the following:

Geraldine Washington  
3405 Texas Avenue, SE  
Washington, D.C. 20020

The Honorable Yvette M. Alexander  
Councilmember – Ward 7  
Council of the District of Columbia  
c/o David W. Wilmot, Esq.  
Harmon & Wilmot, L.L.P.  
1455 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20004

Togo D. West, Jr., Chairman  
D.C. Board of Elections and Ethics  
441 Fourth Street, N.W., Suite 250N  
Washington, D.C. 20001

Charles R. Lowery, Jr., Member  
D. C. Board of Elections and Ethics  
441 Fourth Street, N.W., Suite 250N  
Washington, D.C. 20001

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

### **NOTICE**

Pursuant to 3DCMR §3711.5 (March 2007), 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 433, 2000 Fourteenth Street, N.W., Washington, D.C. 20009.