

**San Francisco Ethics Commission  
Non-Responsive Filer Violation**

**STIPULATION, DECISION AND ORDER**

Complainant, San Francisco Ethics Commission Executive Director John St. Croix, and Respondents hereby agree that this stipulation will be presented to the Ethics Commission at its next regularly scheduled meeting, or as soon as the matter can be heard, as a final disposition of the campaign finance reporting violation(s) described herein.

COMPLAINT NUMBER: NRF-11-050921 ID NUMBER: 1245525

RESPONDENTS: Housing Rights Association Frank Smith, Treasurer  
Davy Jones, President Housing Rights Association  
1447A Powell Street 1447A Powell Street  
San Francisco, CA 94133 San Francisco, CA 94133

CODE SECTIONS VIOLATED: SF C&GCC § 1.106

DESCRIPTION OF VIOLATION: Respondents failed to file required campaign finance disclosure reports with the Ethics Commission on a timely basis.

REPORTING PERIOD(S): 1/1/2005 - 6/30/2005 DUE DATE: 8/1/2005

MONETARY PENALTY: \$ 500.00 LATE FILING FEE: \$ 100.00

TOTAL AMOUNT DUE: \$ 600.00

STATEMENT BY RESPONDENT(S):

We acknowledge that the violation of the San Francisco Campaign and Governmental Conduct Code described above and on Appendix A attached has occurred and voluntarily request that the San Francisco Ethics Commission resolve this matter by imposition of the monetary penalty and late filing fee specified above. We acknowledge receipt of the Statement of Respondents' Rights on the reverse side of this form and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. We agree to pay the San Francisco Ethics Commission the amount of the penalty and late filing fee stated above and as described in Appendix A.

Dated: \_\_\_\_\_ X \_\_\_\_\_  
RESPONDENT

\_\_\_\_\_  
PRINT NAME AND TITLE

Dated: \_\_\_\_\_ X \_\_\_\_\_  
RESPONDENT

\_\_\_\_\_  
PRINT NAME AND TITLE

I have reviewed the above stipulation and recommend its approval.

Dated: \_\_\_\_\_ \_\_\_\_\_  
JOHN ST. CROIX, EXECUTIVE DIRECTOR

ORDER OF THE COMMISSION:

The foregoing stipulation has been adopted by a majority vote of the San Francisco Ethics Commission as its final decision and order and is effective upon execution below by the Chairperson.

IT IS SO ORDERED.

Dated: \_\_\_\_\_ \_\_\_\_\_  
EMI GUSUKUMA, CHAIRPERSON

## **SAN FRANCISCO ETHICS COMMISSION**

### **STATEMENT OF RESPONDENTS' RIGHTS**

The complainant, Executive Director of the San Francisco Ethics Commission, and Respondents, identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for consideration by the San Francisco Ethics Commission at its next regularly scheduled meeting. In the event the Ethics Commission rejects the Stipulation and a full evidentiary hearing before the Ethics Commission becomes necessary, no member of the Ethics Commission shall be disqualified because of his or her prior consideration of this Stipulation.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of each Respondent named herein.

Each Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under Section C3.699-13 of the San Francisco Charter and the Ethics Commission's Regulations for Investigations and Enforcement Proceedings with respect to this matter. This includes, but is not limited to, the right to appear personally at any administrative hearing held in this matter, to be represented by an attorney at Respondent's expense, to confront and cross-examine all witnesses testifying at the hearing and to subpoena witnesses to testify at the hearing.

Each Respondent agrees to the issuance of the Decision and Order and imposition by the Commission of the penalty and late filing fee specified on the first page of this document. Respondents agree that they are jointly and severally liable for the payment of such penalty and late filing fee.

Respondents will submit a check or money order in the total amount specified, payable to the San Francisco Ethics Commission, within ten (10) business days after the Ethics Commission approves this Stipulation and Order, unless, at the Executive Director's sole discretion, the Ethics Commission entered into a Payment Schedule Agreement with Respondents, as set forth in Appendix A. If the Ethics Commission and Respondents enter into a Payment Schedule Agreement, Respondents agree to pay the Ethics Commission a \$35.00 administrative fee in addition to the total amount specified on the first page of this document. Failure to submit the payment(s) listed in Appendix A shall render this agreement null and void.

Payment shall be remitted to:

San Francisco Ethics Commission  
Attn: Linda BJORKE/Enforcement Division  
30 Van Ness Avenue, Suite 3900  
San Francisco, CA 94102

Respondents understand and acknowledge that this Stipulation is not binding on any other law enforcement agency, and does not preclude the Ethics Commission or its staff from cooperating with or assisting any other government agency with regard to the allegations in the complaint, or any other matter related to it.

This Stipulation reflects the entire agreement between the parties hereto and supersedes any and all prior negotiations, understandings, and agreements with respect to the transactions contemplated herein. This Stipulation may not be amended orally. Any amendment or modification to this Stipulation must be in writing duly executed by all parties.

This Stipulation shall be construed under, and interpreted in accordance with, the laws of the State of California. If any provision of the Stipulation is found to be unenforceable, the remaining provisions shall remain valid and enforceable.

The parties hereto may sign different copies of this Stipulation, which will be deemed to have the same effect as though all parties had signed the same document.