



City of Chicago
Richard M. Daley, Mayor

Board of Ethics

Dorothy J. Eng
Executive Director

Angeles L. Eames
Vice Chair

Darryl L. DePriest
Fr. Martin E. O'Donovan
Marlene O. Rankin
Catherine M. Ryan

Room 303
320 North Clark Street
Chicago, Illinois 60610
(312) 744-9660

December 11, 1991

CONFIDENTIAL

[REDACTED]

RE: Case No. 91063.A
Failure to File Lobbyist Disclosure Report
OPINION

Dear [REDACTED]

On today's date, the Board of Ethics reviewed your status as a registered lobbyist and determines that you are in violation of section 2-156-270 of the City of Chicago Governmental Ethics Ordinance due to your failure to file a lobbyist disclosure report, which all registered lobbyists must file.

You registered as a lobbyist with this office on [REDACTED] 1990. As required under the Governmental Ethics Ordinance, you filed a disclosure report by January of 1991. You were required to file another disclosure report on or before July 20, 1991. On June 19, 1991, this office received your written request for a thirty-day extension of time in which to file your report. The extension was granted, and you were given until August 20, 1991.

As of August 20, you had not filed your disclosure report. Between August 21 and September 20, 1991, Sally O'Brien, of this office, left numerous messages on your answering machine reminding you that the report was past due. In late September, you contacted Ms. O'Brien and advised her that you left your employer and did not have access to the files necessary to complete the report. At that time, Ms. O'Brien told you to make good faith estimates to complete the form. She explained that it was essential that she receive this information prior to October 9, 1991.

On October 9, 1991, this office received a handwritten letter purporting to be your report. Because the information was incomplete, and the letter was not notarized, Ms. O'Brien telephoned you to explain that this letter did not comply with the Ordinance. That same day, someone came into the office stating that he was a friend of yours, that he received Ms. O'Brien's message, and that he was picking up new forms to be completed.



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On October 11, 1991, you came into the office and told Ms. O'Brien that you would be filing the forms shortly. Ms. O'Brien also notified you of the \$100 per day penalty. During the next two weeks, Ms. O'Brien left messages for you to remind you that you were past due, but you did not return her calls. As of the date of this decision, this office has not received your disclosure form.

On November 1, 1991, Dorothy Eng, the Executive Director of this office, sent via certified and regular mail the attached notice to you explaining the ramifications of failing to file your report. (See exhibit A). The certified letter was returned to this office marked "unclaimed." The notice sent by regular mail was not returned to this office.

The Governmental Ethics Ordinance states with regard to failure to file a lobbyist disclosure report:

Any registrant who is required to file a report hereunder may effect one 30-day extension of time for filing the report by filing with the Board of Ethics, not less than 10 days before the date on which the statement is due, a declaration of his intention to defer the filing of the report. The filing of such declaration shall suspend application of the penalty provision contained herein for the duration of the extension. Failure to file by the extended date shall constitute a violation of this chapter and shall subject the registrant to a penalty of \$100 per day thereafter.

§ 2-156-270.

You were a lobbyist registrant who timely requested and received a thirty-day extension, making your report due on August 20, 1991. You failed to file your report by August 20, and as of today's date, you have not filed. Therefore, the Board of Ethics determines that you are in violation of section 2-156-270 of the Governmental Ethics Ordinance.¹

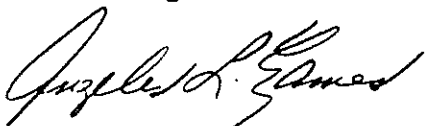
This case has been forwarded to the Corporation Counsel's office for appropriate action as provided for under the

¹ Our determination in this case is based on the application of the City's Governmental Ethics Ordinance to the facts stated in this opinion. If the facts presented in this opinion are incorrect or incomplete, please notify the Board immediately, as any change in the facts may alter our opinion.

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Ordinance. As of this date, you must cease and desist lobbying any and all City employees and officials until and unless you take action to comply with the Ordinance and the Board determines you have complied with the Ordinance. A copy of the rules regarding a request for the Board's reconsideration of this case is enclosed.

Sincerely,



Angeles Eames
Vice Chair

enclosure

cc: Kelly Welsh, Corporation Counsel

MEH:91063.L1