

**BEFORE THE IOWA  
ETHICS AND CAMPAIGN DISCLOSURE BOARD  
Pursuant to Chapter 17A and Chapter 68B**

**IN THE MATTER OF:** )  
 )  
**HOWARD HART,** ) **Case No. 2007 IECDB 01**  
**In His Capacity as the Candidate for the** )  
**Hart Election Committee,** ) **DEFAULT DECISION and ORDER**  
**RESPONDENT.** )

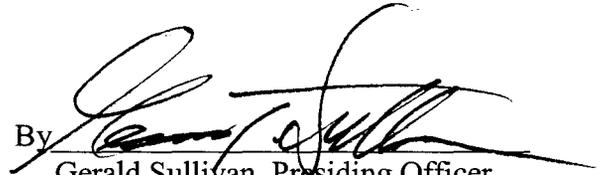
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Pursuant to rule 351—11.21, this DEFAULT DECISION and ORDER is entered:

1. Respondent had proper notice of the date and time of the September 7, 2007 hearing.
2. The hearing was to determine if the Respondent violated Iowa Code section 68A.402 by failing to file a January 2007 campaign disclosure report and Board rule 351—4.21 by failing to file a campaign bank statement. Iowa Code section 68A.401(3) as amended by 2007 Iowa Acts, Senate File 39, section 5 and Iowa Code section 68B.32A(7) provide that the Respondent is the individual responsible for filing said report.
3. As the Respondent failed to appear for the hearing or otherwise provide a defense despite being given the opportunity to do so, the allegations set out in the Statement of Charges are found to be true and correct. Therefore, it is determined that the Respondent violated Iowa Code section 68A.402 and rule 351—4.21 as alleged.
4. Pursuant to Iowa Code section 68B.32D, the Presiding Officer orders the following:
  - A. Respondent shall pay a civil penalty in the amount of **\$200** as calculated by the prescribed and scheduled penalties for failing to timely file a campaign disclosure report as set out in Board rule 351—4.59(3).
  - B. Respondent shall pay an additional civil penalty pursuant to Iowa Code section 68B.32D(1)“h” for the violations of Iowa Code section 68A.402 and rule 351—4.21 in the amount of **\$500.00** and **\$100.00** respectively.
  - C. As a remedial action, Respondent shall repay the Iowa Ethics and Campaign Disclosure Board **\$120.00** related to costs involved with this matter, including the drafting and mailing of correspondence and hearings costs.
  - D. Respondent shall receive a Letter of Reprimand.
  - E. The committee shall file the January 2007 report and a copy of the campaign bank statement within 30 days of this Order’s final effective date.

5. Pursuant to rule 351—11.21(3), this Default Decision and Order becomes final agency action for purposes of judicial review unless a motion to vacate is filed and served within 14 days. A motion to vacate automatically stays this order pending review of the motion.

Dated this 20<sup>th</sup> day of September, 2007.

By   
Gerald Sullivan, Presiding Officer

**CERTIFICATE OF SERVICE**

The undersigned signed does hereby certify that this Default Decision and Order was sent by first class mail, address service requested, on September 28, 2007, to:

Howard Hart  
602 Seventh Avenue  
Shenandoah, Iowa 51601

  
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W. Charles Smithson, Board Counsel