

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**



Office of Government Ethics

In Re: C. Lian
Case No. 24-0056-P

NEGOTIATED DISPOSITION:

Pursuant to section 221 (a)(4)(E)¹ of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012, D.C. Law 19-124, D.C. Code § 1-1161.01 *et seq.*, (“Ethics Act”), the Office of Government Ethics (the “Office” or “OGE”) hereby enters into this public negotiated settlement agreement with the Respondent, C. Lian. Respondent agrees that the resulting disposition is a settlement of the above-titled action, detailed as follows:

FINDINGS OF FACT:

Respondent began employment with the District of Columbia’s Department of Buildings (“DOB”) in October 2022 as the Chief Operations Officer. In October 2023, Respondent was promoted to Deputy Director of DOB. Her responsibilities as Deputy Director include managing the risk of the organization, processing the budget, and supporting the mission of DOB based on strategy set forth by DOB leadership. Respondent’s tour of duty is from 8:30 a.m. to 4:30 p.m., Monday through Friday. Respondent adheres to a hybrid work schedule, and typically reports in-office on Mondays and Fridays and teleworks on Tuesdays, Wednesdays, and Thursdays. Respondent reports to the office on her telework days, as needed. Respondent’s salary as COO was \$149,750 per year and as Deputy Director is \$175,000.00 per year.

During all relevant times and while employed with DOB, Respondent maintained outside employment that took place during her District government tour of duty. Specifically, Respondent was employed with Freddie Mac as a Third-Party Risk Management Director. Respondent began her employment with Freddie Mac in July 2015. Respondent maintained a hybrid work schedule. Respondent reported in-office at Freddie Mac on Tuesdays, Wednesdays, and Thursdays, and teleworked Mondays and Fridays. Her work hours were 9:00 a.m. to 5:00 p.m. Respondent earned a six-figure salary at Freddie Mac.

Respondent was elected to serve a four-year term, January 1, 2022 until December 31, 2025, as a Fall’s Church City Council Member. She serves on the Council on a part-time basis. As a City Council Member, Respondent receives \$9,200 per year.

¹ Section 221(a)(4)(E) of the Ethics Act provides, “[i]n addition to any civil penalty imposed under this title, a violation of the Code of Conduct may result in the following: . . . [a] negotiated disposition of a matter offered by the Director of Government Ethics, and accepted by the respondent, subject to approval by the Ethics Board.”

Although Respondent reported that she disclosed her position on the Fall's Church City Council to DOB and the Executive Office of the Mayor ("EOM"), Respondent failed to code her time in a manner that reflected her outside employment when attending City Council meetings. On more than ten occasions, Respondent attended Fall's Church City Council meetings and reported a full day of work with the District, rather than reporting annual leave for the time that overlapped with her District tour of duty.

Due to Respondent's position and responsibilities as a Deputy Director for DOB, Respondent was required to file a public financial disclosure statement ("FDS") for calendar years 2022 and 2023. The primary purpose of filing a FDS is to identify potential conflicts of interest between a filer's official duties and the filer's private financial interests and affiliations. Filers are also required to disclose any outside activity or employment that they engaged in during the prior calendar year for which they received compensation of over \$200 or more.

For the calendar years 2022 and 2023, Respondent failed to disclose her employment with Freddie Mac on her financial disclosure statement. Further, for calendar year 2022, Respondent underreported her income for her position on the Fall's Church City Council. Respondent reported that she received between \$0 and \$1,000, which is less than she was paid by Falls Church in 2021. Respondent indicated she mistakenly selected the wrong category of income on the online disclosure form and has submitted an amendment to correct this error.

NATURE OF MISCONDUCT

Respondent violated the following Code of Conduct provisions:

Count One: Employees shall not engage in any outside employment or activity that is reasonably likely to interfere with the employee's ability to perform his or her job, or which may impair the efficient operation of the District government. District Personnel Manual ("DPM") § 1807.1(a).

- Respondent violated this rule by maintaining her employment with Freddie Mac and performing essential work functions on their behalf during the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, in direct conflict with her DOB tour of duty.

Count Two: Employees shall not use government time or resources for other than official business, or government approved or sponsored activities. DPM § 1807.1(b).

- Respondent violated this rule by maintaining employment with Freddie Mac during her DOB tour of duty. Respondent violated this rule when she attended Fall's Church City Council meetings during her District tour of duty. For both cases, Respondent claimed to have worked a full 8-hour tour of duty at DOB.

Count Three: Failure to file a full and complete financial disclosure statement for calendar years 2022 and 2023. D.C. Official Code § 1-1162.24(a)(1).

- Respondent failed to file a full and complete financial disclosure statement in 2022 and 2023 when she did not disclose her employment with Freddie Mac on her financial disclosure statement.

Count Four: Failure to file a full and complete financial disclosure statement for calendar year 2022. D.C. Official Code § 1-1162.24(a)(1).

- Respondent failed to file a full and complete financial disclosure statement in 2022 when she underreported the amount of compensation she received for her position on Fall's Church City Council.

None of the above-referenced conduct was authorized by the District of Columbia. By agreeing to settle this matter via a negotiated disposition, Respondent will allow OGE to avoid expending significant time and resources to litigate this matter through a contested hearing, and to focus its finite resources on other investigations.

TERMS OF THE NEGOTIATED SETTLEMENT

Respondent acknowledges that her conduct violated the Code of Conduct. Respondent agrees to pay a fine in the amount of **TWENTY-FIVE THOUSAND DOLLARS** (\$25,000.00), to resolve this violation of the District's Code of Conduct, in accordance with the following terms and conditions:

1. Respondent agrees to make a lump sum payment of \$17,000 on or before August 2, 2024. Payment will be accepted by certified check or money order, made out to the D.C. Treasurer, delivered to and received by OGE at 1030 15th Street, NW, Suite 700W, Washington, DC 20005 or by electronic payment at <https://dcwebforms.dc.gov/pay/bega1/> using transaction ID 24-0056-P;
2. Subsequently, Respondent agrees to pay the remaining balance by having **\$750.00** per pay period automatically deducted from her bi-weekly paycheck from the District government commencing immediately and continuing until such time as the fine amount is fully satisfied;
3. In the event that Respondent's employment with the District government ceases prior to complete satisfaction of the fine amount, Respondent agrees that any outstanding fine amount will be satisfied by deduction in full from Respondent's final District government paycheck and/or any payment to the Respondent from the District government for unused annual leave;
4. The total fine amount shall be due in full on or before August 2, 2025 (the "Maturity Date").
5. Respondent acknowledges that, whether OPRS completes these deductions as described herein, Respondent is nonetheless solely responsible for satisfying the fine and restitution. Payment will be accepted by certified check or money order, made out to the D.C. Treasurer, delivered to and received by OGE at 1030 15th Street NW, Suite 700W, Washington, DC 20005 or by electronic payment at <https://dcwebforms.dc.gov/pay/bega1/> using transaction ID 24-0056-P;

6. Respondent agrees to attend ethics training no later than October 31, 2024.

In consideration of Respondent's acknowledgement and agreement, OGE will seek no further remedy and will take no further action related to the above misconduct.

Respondent acknowledges and understands that this Negotiated Disposition is only binding upon herself and OGE in resolution of her violations of the Code of Conduct that applies to District government employees and public officials. Nonetheless, the Respondent knowingly and willingly waives her right to appeal the accompanying Board Order imposing a fine in this matter in exchange for the concessions made by this Office in this Negotiated Disposition.

Respondent further understands that if she fails to adhere to this agreement, including the failure to make monthly payments according to the terms, OGE may instead, at its sole option, send any unpaid fine amount to collections or recommend that the Ethics Board nullify this settlement and hold an open and adversarial hearing on this matter, after which the Ethics Board may impose sanctions up to the full statutory amount (\$5,000.00 per violation) as provided in the Ethics Act for each violation.² Because OGE is, at this time, foregoing requesting that the Ethics Board hold an open and adversarial hearing on this matter, Respondent waives any statute of limitation defenses should the Ethics Board decide to proceed in that matter as a result of Respondent's breach of this agreement.

The mutual promises outlined herein constitute the entire agreement in this case. Failure to adhere to any provision of this agreement is a breach rendering the entire agreement void. By our signatures, we agree to the terms outlined therein.

C [REDACTED] Lian
Respondent



Ashley D. Cooks
Director of Government Ethics

7/23/24

Date

8/1/24

Date

² Section 221(a)(1) (D.C. Official Code § 1-1162.21(a)(1)).

This agreement shall not be deemed effective unless and until it is approved by the Board of Ethics and Government Accountability, as demonstrated by the signature of the Chairperson below.

APPROVED:



Norma Hutcheson

Chairperson, Board of Ethics and Government Accountability

#24-0056-P

AC/FV

8/1/24

Date

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY



Office of Government Ethics

IN RE: C [REDACTED] LIAN

Respondent

CASE No.: 24-0056-P

ORDER

Based upon the mutual representations and promises contained in the Negotiated Disposition approved by the Board herein on August 1, 2024, and upon the entire record in this case; it is, therefore

ORDERED that Respondent pay a civil penalty in the amount of **TWENTY-FIVE THOUSAND DOLLARS** (\$25,000.00).

This Order is effective upon approval by the Board of Ethics and Government Accountability, as demonstrated by the signature of the Chairperson below.

A handwritten signature in black ink that reads "Norma B. Hutcheson".

NORMA HUTCHESON
Chair, Board of Ethics and Government Accountability

8/1/24

Date