

BEFORE THE ADMINISTRATIVE HEARING OFFICER, CITY OF LAKEWOOD,  
COLORADO

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ORDER

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*In re:* Complaint filed by FRED CLIFFORD, Complainant, against KYRA DEGRUY, Respondent.

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THIS MATTER comes before the undersigned, a duly appointed administrative hearing officer for the City of Lakewood, on a Complaint filed by Fred Clifford, an individual ("Complainant"), against Kyra deGruy, an individual and former Lakewood City Council candidate ("Respondent"). The Complaint was set for a hearing on February 28, 2019 at 9:30 a.m., and the City of Lakewood (the "City") and Respondent appeared and presented testimony and evidence. The Complainant did not appear. Having considered the Complaint and the testimony and evidence presented at the hearing, and being otherwise advised in the premises, the undersigned finds and orders as follows:

1. In the Complaint, Complainant presented two alleged violations of Chapter 2.54 of the Lakewood Municipal Code (the "Code"), which is the City's recently-amended campaign finance ordinance. The City Clerk initially determined that the second allegation was frivolous, and dismissed the second allegation. The City Clerk determined that the first allegation was not frivolous, and set that allegation for hearing.
2. The first allegation in the Complaint states that, on May 22, 2018, Respondent donated \$25 to a Denver candidate committee named "Perl for Denver", and that donation violated Code § 2.54.030(A)(6)(d).
3. Code § 2.54.030(A)(6) dictates the requirements for use of unexpended campaign contributions by a candidate committee. More specifically, subsection (d) of that section prohibits unexpended campaign contributions from being used "for personal purposes not reasonably related to supporting the election of a candidate."
4. At the hearing, Respondent testified, and admitted that her candidate committee donated \$25 to the Denver candidate committee on or about May 22, 2018. Respondent testified that this donation was a mistake, and that once she realized that the donation was prohibited by the Code, she promptly obtained a refund of the donation and filed an amended report with the City Clerk to delete the donation. The City Clerk confirmed that an amended report was filed.
5. Based on all of the testimony and evidence, the undersigned finds a violation of Code § 2.54.030(A)(6)(d) by donating \$25 to a Denver candidate committee. In light of the proven violation, and considering Respondent's prompt action to rectify the mistake, the undersigned imposes the minimum penalty of \$50. The City Clerk's office shall notify Respondent of the penalty pursuant to Code § 2.54.050(C)(3).

SO ORDERED this 28<sup>th</sup> day of February, 2019.

CITY OF LAKEWOOD, COLORADO



By

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Kendra L. Carberry, Hearing Officer  
Hoffmann, Parker, Wilson & Carberry, P.C.  
511 16<sup>th</sup> Street, Suite 610  
Denver, CO 80202

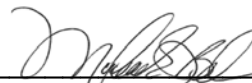
**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Order was sent via electronic mail this 28<sup>th</sup> day of February, 2019, addressed to:

Margy Greer, City Clerk  
City of Lakewood  
480 South Allison Parkway  
Lakewood, CO 80226  
via email: [MarGre@lakewood.org](mailto:MarGre@lakewood.org)

Kyra deGruy  
13 Lakewood Heights Dr.  
Lakewood, CO 80215  
via email: [kedegruy@gmail.com](mailto:kedegruy@gmail.com)

Fred Clifford  
531 South Upham Court  
Lakewood, CO 80226  
via email: [cliffwr@comcast.net](mailto:cliffwr@comcast.net)



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Marlene Beliveau, Legal Assistant