

NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY
540 Broadway
Albany, New York 12207
(518) 474-1559

In the Matter of David L. Kempton, Inc.

DECISION
and
NOTICE OF CIVIL ASSESSMENT

Respondent

Failure to Timely File a 2009 January/June
Client Semi-Annual Report

A Notice of Hearing was issued on August 18, 2010 and duly served on Respondent, David L. Kempton, Inc. ("Respondent"). A hearing was held on October 4, 2010. The Hearing Officer issued written Findings of Fact and a Recommendation on December 14, 2010, which were duly served on Respondent. Respondent was provided a ten-day period within which to respond in writing to the Hearing Officer's Findings of Fact and Recommendation. Respondent did not submit any such response.

At its February 15, 2011 meeting, the New York State Commission on Public Integrity ("Commission") considered the hearing officer's Findings of Fact and Recommendation in the above-captioned matter.

The Commission affirms the hearing officer's finding that Respondent knowingly and wilfully failed to timely file the 2009 January/June Client Semi-Annual Report and directs that Respondent be assessed a civil penalty in the amount of \$250 within thirty (30) days of receipt of service of the Decision.

Mitra Hormozi, Chair
Hon. Richard J. Barlett
John M. Brickman
Vernon S. Broderick
George F. Carpinello
Richard D. Emery
Hon. Howard A. Levine
John T. Mitchell
Mark G. Peters
Members

DATED: February 15, 2011