



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112  
Toll Free 1-877-601-2828 • E-mail: [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

May 10, 2017

Nancy Tosta  
Sent electronically to Ms. Tosta

Subject: Complaint filed by Glen Morgan; PDC Case 16281  
Complaint Return Cover Letter with Filing Reminder

Dear Ms. Tosta:

Enclosed is a copy of a letter sent to Glen Morgan concerning a complaint he filed with the Public Disclosure Commission (PDC) on April 5, 2017. The complaint alleged that there were multiple violations of state campaign finance and disclosure laws (RCW 42.17A) during your 2013 campaign for election as candidate for Burien City Council, and several other allegations.

As noted in the letter to Mr. Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter. PDC staff is reminding you about the importance of: (1) the timely disclosure of all contribution and expenditure activities, including the candidate filing fee and post office box rental for any future election campaign; and (2) the timely filing of the Personal Financial Affairs Statement (F-1 report) as an incumbent local official.

If you have questions, please contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

Barbara Sandahl  
Interim Executive Director

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describes the general situation  
of the country.

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May 10, 2017

Sent electronically to Glen Morgan "glenmorgan89@gmail.com"

Subject: Complaint filed against Nancy Tosta: PDC Case 16281

Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on April 5, 2017. Your complaints alleged that Nancy Tosta, an incumbent Burien City Councilmember since being elected to that office in 2013, and candidate seeking re-election to that office in 2017, violated RCW 42.17A on multiple occasions, as detailed below.

PDC staff reviewed your allegations in light of PDC laws and rules in order to determine whether a formal investigation or enforcement action is warranted. Staff reviewed: (1) your complaint; (2) the PDC database for contribution and expenditure information for Nancy Tosta; (3) Candidate Registration's (C-1 reports), Monetary Contributions reports (C-3 reports), and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), filed by the 2013 Elect Nancy Tosta Campaign; (4) the Personal Financial Affairs Statements (F-1 report) filed by Ms. Tosta; and (5) the emailed responses from Ms. Tosta. Based on staff's review, we found the following:

**Allegation: Failure to timely file C-3 and C-4 reports disclosing contribution and expenditure activities.**

The complaint alleged that the Elect Nancy Tosta Campaign (Campaign) failed to: (1) timely file C-3 and C-4 reports; (2) file C-3 and C-4 reports which should have been filed on the same date as the C-1 report; and (3) timely file C-3 and C-4 reports disclosing contribution received and expenditures made.

- On May 28, 2013, Nancy Tosta filed a C-1 report declaring her candidacy for Burien City Council, listing herself as Treasurer, and selecting the Mini Reporting option.
- On September 19, 2013, Ms. Tosta: (1) Submitted a letter requesting a change from the Mini to the Full Reporting option, and confirming that she notified her opponent; (2) Filed an amended C-1 report disclosing that she was changing from the Mini to the Full Reporting option; and (3) Filed 12 C-3 reports and one C-4 report manually on paper, disclosing that the Campaign received \$4,450 in monetary contributions, and made \$2,298.75 in expenditures during the period of May 17 through September 17, 2013.

- On September 20, 2013, PDC staff sent a letter to Ms. Tosta approving her request to change to the Full Reporting option. On September 23, 2013, Ms. Tosta filed an amended C-1 report disclosing that Jim Burrows was the new Campaign Treasurer.
- Between September 26 and October 2, 2013, the Campaign filed 14 C-3 reports and three C-4 reports electronically using the Online Reporting of Campaign Activity (ORCA).

The Campaign changed reporting options from the Mini to Full Reporting option, and timely filed the required C-3 and C-4 reports as required when making that change. The contributions and expenditures listed in allegation #3 of your complaint, had been received and made while Ms. Tosta was still under the Mini Reporting option.

**Allegation: Failed to timely file the C-1 report for 2017.**

The complaint alleged Ms. Tosta failed to timely file her C-1 report for the 2017 election, but offered no evidence.

On April 14, 2017, Nancy Tosta filed a C-1 report declaring her candidacy for re-election to the Burien City Council in 2017, and selecting the Full Reporting option.

**Allegation: Failed to report contribution and expenditure activities, and in-kind contributions for the filing fee and Post Office box rental.**

The Complaint alleged Ms. Tosta failed to disclose in-kind contributions for the filing fee and Post Office box rental.

Ms. Tosta stated that she failed to disclose a \$79.84 in-kind contribution made in May of 2013, for her 2013 Campaign, and she acknowledged that her Campaign disclosed the \$128 Post Office box rental fee on November 20, 2013, which was late. Staff would note that Ms. Tosta initially selected the Mini Reporting option, and was not required to have disclosed those activities until September 19, 2013, when she submitted C-3 and C-4 reports to change to the Full Reporting option.

**Allegation: Failed to timely file the F-1 report for CY 2015, and failed to list offices held.**

The complaint alleged Ms. Tosta failed to timely file the F-1 report for calendar year 2015, which was required to have been filed no later than April 15, 2016.

On May 14, 2016, Nancy Tosta filed an F-1 report for calendar year 2015. The F-1 report was filed 29 days late

**Allegation: Failed to include the proper sponsor identification on website.**

Ms. Tosta acknowledged that she did not include the proper sponsor identification on her campaign website in 2013, but that the content on the website made it clear that she was sponsor as the candidate.

Ms. Tosta stated that she did include her sponsor identification on her printed and mailed political advertisements during 2013, and that she would make sure to include the proper sponsor identification for her 2017 Campaign as she launches her re-election efforts.

PDC staff concluded that a more formal investigation into your complaint or pursuing enforcement action in this instance is not warranted. While the \$79.84 filing fee was not disclosed by the Campaign, although it was clear that the filing fee had been paid since Ms. Tosta's name appeared in the Voter's Pamphlet and on the ballot, and the post office box rental was disclosed late, those activities account for slightly more than 3% of total expenditures made for the entire Campaign. In addition, Ms. Tosta failed to timely her F-1 report for calendar year 2015, but she filed the missing F-1 report on May 14, 2016, prior to PDC staff sending out filer reminder letters.

PDC staff is reminding Nancy Tosta about the importance of the timely disclosure of all contribution and expenditure activities, including the filing fee, and the timely filings of all future PDC reports, including the F-1 report. Therefore, PDC is returning your complaint filed against Nancy Tosta without taking any action.

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,



Kurt Young  
PDC Compliance Officer

Endorsed by:



Barbara Sandahl  
Interim Executive Director

cc: Nancy Tosta



**Public Disclosure Commission**  
Shining Light on Washington Politics Since 1972

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above mentioned matter.

I am sorry to hear that you are unable to attend the meeting on the 15th inst. I have therefore arranged for Mr. [Name] to attend on your behalf.

I am sure that Mr. [Name] will be able to discuss the matter with you in detail and will be able to advise you of the result of the meeting.

I am, Sir, very respectfully,  
Yours faithfully,  
[Signature]

Yours faithfully,  
[Signature]

I am, Sir, very respectfully,  
Yours faithfully,  
[Signature]