



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@pdcc.wa.gov • Website: www.pdcc.wa.gov

January 28, 2019

Sent electronically to Mark Lamb at mark@northcreeklaw.com

Subject: WA Realtors PAC, PDC Case 42980

Dear Mr. Lamb:

Below is a copy of an electronic letter sent to Susan Peters concerning a complaint she filed with the Public Disclosure Commission (PDC) on October 31, 2018. The complaint alleged that the WA Realtors PAC (Committee), a political committee registered with the PDC and affiliated with the Washington Association of Realtors, may have violated RCW 42.17A.320 by failing to include the committee's top five contributors for independent expenditure advertisements sponsored by the committee, and RCW 42.17A.435 by failing to identify contributions.

As noted in the letter to Susan Peters, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), the Committee is hereby formally warned concerning its failure to disclose the top contributor, Stand for Children PAC, in the sponsor identification for political advertisements sponsored by the Committee as required by the law. This formal written warning conveys staff's expectation that the Committee will fully comply with the political advertising requirements in the future as a registered political committee. The Commission will consider this formal written warning if there are any future PDC law or rule violations by the Committee.

Based on this information, the PDC has dismissed this complaint in accordance with RCW 42.17A.755(1)(a).

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Erick Agina, Compliance Officer

s/ _____
Peter Lavalley, Executive Director



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January 28, 2019

Sent electronically to Susan Peters at smlpeters@gmail.com

Subject: WA Realtors PAC, PDC Case 42980

Dear Ms. Peters:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 31, 2018. The complaint alleged that the WA Realtors PAC (Committee), a political committee registered with the PDC and affiliated with the Washington Association of Realtors, may have violated RCW 42.17A.320 by failing to include the committee's top five contributors for independent expenditure advertisements sponsored by the committee, and RCW 42.17A.435 by failing to identify contributions.

PDC staff reviewed the allegations listed in the complaint to determine whether a formal investigation or enforcement action is warranted. Staff reviewed all the exhibits submitted with the complaint, and the December 5, 2018 response letter received via email from Mark Lamb, attorney for the WA Realtors PAC (Committee). Based on staff's review, we found the following:

- On January 14, 2013, the Committee filed a C-1pc report disclosing it was a continuing "Other Political Committee," selecting the Full Reporting Option, and listing Nathan Gorton and Kitty Wallace as campaign manager and treasurer respectively.
- The independent expenditure advertisement (IE Ad) provided along with the complaint was sponsored by the Committee in opposition to Maralyn Chase, an incumbent State Senator in the 32nd Legislative District and a candidate seeking re-election to that office in 2018, and in support of Jesse Soloman, Ms. Chase's opponent. The IE ad stated "No candidate authorized this ad. It is paid for by Washington Realtors PAC...Top Five Contributors Washington Realtors."
- The IE ad failed to include the complete sponsor identification as required for an IE, specifically by failing to provide the name of the Committee's top contributor in the list of the top five contributors.
- The committee, by way of its attorney Mark Lamb, stated the "two ads listed in the complaint had already been approved, printed and sent to the post office well before his client was notified of the in-kind contribution."

- Staff’s review indicated that the Committee filed an amended 21-Day Pre-General Election C-4 report on October 25, 2018, disclosing that the Committee received two in-kind contributions totaling \$32,235 from the Stand for Children PAC on October 15, 2018 for polling and research conducted in the 32nd and 34th Legislative Districts. The amended C-4 report disclosing the in-kind contribution was filed nine days late.
- Concerning the Facebook advertisement you attached as part of your complaint, staff reviewed the advertisement which included the statement “We Support Jesse Salomon for State Senate: Effective, Proven Leadership” followed by information about candidate Salomon with the sponsor identification as “Paid for by Stand for Washington Students.” Mr. Lamb stated that the Committee did not pay for the advertisement and was not the sponsor of the digital advertisement in support of Jesse Salomon that listed a nonexistent PAC as sponsor.
- PDC staff did not find a political committee registered under the name “Stand for Washington Students” or evidence that the Facebook advertisement was sponsored by the Committee.

While the Committee failed to include Stand for Children PAC as its top contributor in the sponsor identification as required, PDC staff found no evidence of a material violation that would require conducting a more formal investigation into your complaint or pursuing enforcement action in this instance.

However, pursuant to WAC 390-37-060(1)(b), PDC staff issued a formal written warning to the WA Realtors PAC concerning the importance of identifying the complete sponsor identification on all political advertising including the top five contributors as required by the law. This formal written warning conveys staff’s expectation that the WA Realtors PAC will fully comply with the political advertising requirements listed above in the future as a registered political committee. The Commission will consider this formal written warning if there are any future PDC law or rule violations by the WA Realtors PAC.

Based on the above, the PDC has dismissed your complaint in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Erick Agina, Compliance Officer

s/ _____
Peter Lavalley, Executive Director

cc: WA Realtors PAC
Mark Lamb, attorney.