

RECEIVED

Office Use Only: No. \_\_\_\_\_

NOV - 7 2013



Public Disclosure Commission

**WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION  
COMPLAINT FORM**

*(See instructions on the last page.)*

**Description of Complaint**

**1. RESPONDENT:**

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

National Association of Realtors Fund

430 N. Michigan Ave Chicago, IL, 60611-4087 Phone: 312-329-8239 Email: unknown

**2. ALLEGED VIOLATIONS:**

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17/RCW 42.17A or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed. *(Note that the*

*According to The Seattle Times Nov. 5 article titled "Ad spending for Bellevue's Wallace reported late," the National Association of Realtors Fund "filed electronic reports (Nov. 5, Election Day) for \$76,000 worth of direct mail, phone calls and online advertising first presented to voters Oct. 11 in support of Bellevue City Council candidate Kevin Wallace and Vancouver Mayor Tim Leavitt." Under public disclosure laws, the reports should have been filed electronically on Oct. 14. Instead, the Realtors waited until Oct. 30, a week before the election, to file a paper report, and did not file electronically until Election Day on Nov.5. This violation of our law could have swayed what is turning out to be a very close election, with Wallace in the lead at this point, and if so this election should be recalled.*

I am no attorney, but I believe this is in direct violation of RCW 42.17A.205, RCW 42.17A.225, and 42.17A.220 regarding campaign finance and contributions.

**Evidence and Witnesses**

2. **EVIDENCE:**

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

The primary evidence is this Seattle Times story in which the compliance director for the PDC is quoted. The secondary evidence on the next page is the PDC report with the late dates.

**POLITICS NORTHWEST** 

The Seattle Times political team explores national, state and local politics.

November 5, 2013 at 5:45 PM

**Ad spending for Bellevue's Wallace reported late**

Posted by [Keith Ervin](#)

Share:    

 Recommend 

 Comments

 Print

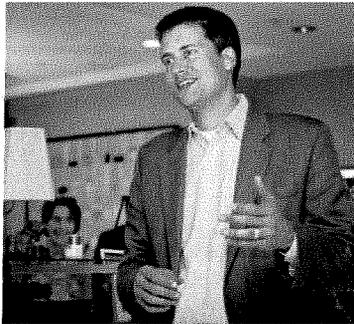
The National Association of Realtors Fund belatedly reported spending \$36,200 for political ads supporting Bellevue City Councilmember Kevin Wallace's re-election campaign.

Phil Stutzman, compliance director for the state Public Disclosure Commission, said the Realtors filed electronic reports today for \$76,000 worth of direct mail, phone calls and online advertising first presented to voters October 11 in support of Wallace and Vancouver Mayor Tim Leavitt.

Under public-disclosure laws the reports were to have been filed electronically on October 14, the first business day after they were presented.

Instead, the Realtors filed a paper report Oct. 30 and failed to file electronically until today after being contacted by PDC staff, Stutzman said. He said the PDC would investigate the reporting if it receives a complaint.

Wallace, who is running for a second term on the City Council, has reported raising \$138,938, compared to challenger Steve Kasner's \$67,689. Labor and environmental groups have largely funded \$8,701 in independent pro-Kasner ads and \$8,523 in anti-Wallace ads. Business interests including the Realtors have spent \$38,700 in favor of Wallace.



Bellevue City Council member Kevin Wallace thanks his supporters in a short speech after seeing his 51 percent lead in initial election results over challenger Steve Kasner at the Hyatt Regency Bellevue. (Lindsay Wasson / The Seattle Times)

**RECEIVED**

NOV - 7 2013

Public Disclosure Commission



OLYMPIA WA 98504-0908  
(360) 753-1111  
TOLL FREE 1-877-801-2828

1/12

11/5/2013

Reporting Form for: (check one)

Instructions on Page 3

- INDEPENDENT EXPENDITURES (Occurring at any time) — \$100 or more  
 INDEPENDENT EXPENDITURE ADS (Appearing within 21 days of an election) — \$1,000 or more  
 ELECTIONEERING COMMUNICATIONS, Except Contributions (Appearing within 60 days of an election) — \$1,000 or more

1. Name and complete postal mailing address of sponsor: NATL ASSOCIATION OF REALTORS FUND 430 N. MICHIGAN CHICAGO, IL 60611		E-mail KPASCHAL@REALTORS.O Telephone 312-329-8239
--	--	--

2. Itemize expenditures of more than \$100 associated with the independent expenditure or electioneering communication.

Date Made	Date First Presented/Mailed	Name and Address of Vendor or Recipient	Description of Expenditure (e.g., direct mail or newspaper, TV or radio ad)	Amount or Value (*See Below)
10/03/13	10/11/13	ACCES 1750 K. STREET, SUITE 700 WASHINGTON, DC 20006	DIRECT MAIL, PHONE & ONLINE	76,000.00
10/03/13	10/03/13	NATIONAL ASSN OF REALTORS 430 N. MICHIGAN CHICAGO, IL 60611	POLLING AND CONSULTING EXP	400.00
Expenditures \$100 or less not itemized above				\$ 0.00

Total this report		\$ 76,400.00
Total independent expenditures and electioneering communications made during this election campaign. Include amounts shown in this report and previously submitted C-6 reports.		\$ 76,400.00

3. List of candidate(s) or ballot proposition(s) identified in the advertising.				Show portion of current expense attributable to each candidate or proposition	Show total C-6 expenses related to each candidate/proposition during election campaign
Candidate/Proposition	Office/District/Proposition No.	Party	Check Support or Oppose		
WALLACE, KEVIN	CITY COUNCIL MEMBER/CITY OF BELLEVUE	NON PARTISAN	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$ 36,200.00	\$ 36,200.00
LEAVITT, TIMOTHY	MAYOR/CITY OF VANCOUVER	NON PARTISAN	<input checked="" type="checkbox"/> <input type="checkbox"/>	\$ 40,200.00	\$ 40,200.00

3. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

Unknown at this time.

RECEIVED

NOV - 7 2013

Public Disclosure Commission

## Certification

### In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.

Your name (print or type)  
Rebecca E Lewis

**RECEIVED**

NOV - 7 2013

Telephone number (including area code)  
425-746-5869

Public Disclosure Commission

E-mail address (optional)  
rebeccie@comcast.net

## Oath

### Required for complaints against elected officials or candidates for elective office:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.\*

Your signature Rebecca E Lewis

Date signed 11/7/13

Place signed (city and county)

City Bellevue

County King

## Attachments

€ Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint. (copy of letter attached)

*\*RCW 9A.72.040 says that "(1) A person is guilty of false swearing if he makes a false statement which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."*

**Washington State Public Disclosure Commission  
Instructions for Filing a Formal Complaint**

↓ **When to use the formal complaint form:**

While this form is not required, its use is recommended when you want to file formal allegations of a violation of the Public Disclosure Commission (PDC) statutes or rules. You can find the PDC statutes and rules on the PDC website at [www.pdc.wa.gov](http://www.pdc.wa.gov). If you have information or concerns about a possible violation but do not wish to file a complaint, please contact the PDC office directly.

↓ **How to submit your complaint form to the PDC:**

- Complete all sections. If you do not have some information, please write "unknown" instead of leaving a blank space.
- Attach copies of any evidence you have - we'll contact you if we need originals.
- Sign the oath if your complaint is against an elected official or a candidate for elective office.
- Mail, fax, or email your complaint and all attachments to the PDC.

↓ **If you have more questions:**

If you have more questions about filing a complaint, see the "Frequently Asked Questions about Filing a Complaint" guide available on the PDC's website at [www.pdc.wa.gov](http://www.pdc.wa.gov) under "Enforcement and Compliance." You may also contact the PDC directly.

**PDC Contact Information**

**MAILING ADDRESS:** Washington State Public Disclosure Commission  
711 Capitol Way, Room 206  
PO Box 40908  
Olympia, WA 98504-0908

**EMAIL ADDRESS:** [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

**PHONE:** 1-877-601-2828 (toll free)

**FAX:** (360) 753-1112

**HOURS:** Monday-Friday, 8:00 a.m. – 5:00 p.m., closed on state holidays.

**RECEIVED**

NOV - 7 2013

**Public Disclosure Commission**