



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

September 14, 2018

Sent electronically to Mark Lamb, legal counsel for Senator Steven O’Ban at
“mark@northcreeklaw.com”

Subject: Steven O’Ban Complaint Return Letter, PDC Case No. 30896

Dear Mr. Lamb:

Enclosed is a copy of a letter sent to Dmitri Iglitzin concerning a complaint he filed with the Public Disclosure Commission (PDC) on February 8, 2018. The complaint alleged that your client, Steve O’Ban an incumbent State Senator in the 28th Legislative District and a candidate seeking re-election to that office in 2016, violated RCW 42.17A.235 and .240 by failing to timely file Monetary Contributions reports (C-3 reports).

As noted in the letter to Mr. Iglitzin, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter. However, PDC staff is reminding you of the importance of filing timely and accurate reports disclosing campaign contribution activities, including the filing of C-3 reports for all future campaigns.

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:

Erick Agina
PDC Compliance Officer

BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director





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September 14, 2018

Sent electronically to Dmitri Iglitzin at iglitzin@workerlaw.com

Subject: Steven O'Ban Complaint Return Letter, PDC Case No. 30896

Dear Mr. Iglitzin:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on February 8, 2018. The complaint alleged that Senator Steven O'Ban, an incumbent State Senator and a candidate seeking re-election to that office in 2016, violated RCW 42.17A.235 and .240 by failing to timely file the Monetary Contributions reports (C-3 reports).

The Attorney General's Office (AGO) notified PDC staff that their office would not be taking action against Senator Steven O'Ban concerning the Citizen Action Notice you filed with their office. PDC staff reviewed the allegations listed in the complaint, the statutes, rules and reporting requirements, the C-3 reports filed by the Steven O'Ban Campaign (Campaign), and the August 31, 2018 response letter from Senator Steven O'Ban. As a result of our review, we found the following:

- On December 17, 2014, Steven O'Ban filed a Candidate Registration (C-1 report) declaring his candidacy for State Senator in the 28th Legislative District in 2016, selecting the Full Reporting Option and listing Tom Perry as treasurer. Senator O'Ban is an incumbent State Senator since being elected to that office in 2014, and prior to that he served one-term as a State Representative after being elected in 2012.
- On February 10, 2017, Senator O'Ban filed a C-1 report declaring his candidacy for re-election in 2020.
- The complaint alleged that the Campaign failed to timely file C-3 reports for the monetary contribution received and deposited on the following dates: March 31, 2016, July 29, 2016, August 4, 2016, September 30, 2016 and November 21 and 30, 2016.
- Four of the alleged late filed C-3 reports only disclosed bank interest earned by the Campaign totaling a \$1.63, with \$1.42 being the largest interest amount on a C-3 report. RCW 42.17A.005 (16)(b) states "Contribution" does not include: (i) Legally accrued interest on money deposited in a political committee's account."
- Staff's review determined the following concerning the remaining alleged three late filed C-3 reports that were due to have been filed by the Campaign on August 1,

August 8, and December 12, 2016 (Note December 10, 2016 was a Saturday) respectively.

1. Report # 100713891: On August 2, 2016, the Campaign filed a C-3 report disclosing the receipt 20 monetary contributions totaling \$15,250, received on July 28-29, 2016 and deposited in the campaign bank account on July 29, 2016. The C-3 report was required to have been filed on August 1, 2016 and was filed one day late by the Campaign.
2. Report # 100724469: On October 5, 2016, the Campaign filed a C-3 report disclosing the receipt of two \$1,000 monetary contributions received on August 2, 2016 and listing an August 4, 2016 deposit date. The C-3 report was required to have been filed on August 8, 2016 and was filed 57 days late by the Campaign.
3. Report #100738396: On December 12, 2016, the Campaign filed a C-3 report disclosing the receipt of a \$1,000 monetary contributions received on November 15, 2016 and listing a November 21, 2016 deposit date. The C-3 report was timely filed by the Campaign, since the required December 10, 2016 due date was on a Saturday.

The 2016 Steven O’Ban Campaign disclosed receiving approximately \$554,914 in monetary and in-kind contributions, and made expenditures totaling more than \$548,646. As noted above, the Campaign failed to timely file two C-3 reports that disclosed monetary contributions received by the Campaign, and staff noted that one of the C-3 reports was filed one day late.

Based on these findings, 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. Therefore, PDC is returning your complaint filed against Senator Steven O’Ban without taking any formal action, however, staff has reminded Senator O’Ban of the importance of filing timely and accurate reports disclosing campaign contribution for all future campaigns.

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:

Erick Agina
PDC Compliance Officer

BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Steven O’Ban

